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The South Pacific Commission Makes Progress

by *Felix M. Keesing, U. S. High Commissioner on the Commission*

The South Pacific Commission, the regional international organization created by agreement of the six governments administering non-self-governing territories in the South Pacific area, has now largely completed the initial organizational phases of its work. The first session was held at Sydney, Australia, from May 11-21, 1948, and the second session from October 25-November 2, 1948. At these meetings arrangements were made to establish the permanent headquarters at Nouméa, New Caledonia; the organization of the Secretariat was completed; the permanent officers of the Secretariat were chosen; the South Pacific Research Council was established; and a preliminary work program was launched.

The South Pacific Commission was established by the terms of an agreement worked out by representatives of the six powers concerned at the South Seas Conference which was held at Canberra, Australia, in January-February 1947.¹ The participating governments are Australia, France, the Netherlands, New Zealand, the United Kingdom, and the United States. Already a precedent existed for such a regional organization in the work of the Caribbean Commission, which was established in 1942 as the Anglo-American Caribbean Commission and was enlarged in 1945 to include France and the Netherlands.² To a large extent the South Pacific Commission has followed the organizational patterns of the Caribbean Commission, benefiting by its experience to date.

The agreement establishing the South Pacific Commission entered into force on July 29, 1948, when acceptances by all six governments concerned were received by the Government of Australia. For the United States the President signed the in-

strument of acceptance of the agreement as of January 28, 1948, after Congress had given its authorization for United States participation by enactment of Public Law 403 (80th Congress).³ The terms of this agreement constitute the working charter of the Commission. Article IV, paragraph 6, defines its general purpose as follows:

The Commission shall be a consultative and advisory body to the participating Governments in matters affecting the economic and social development of the non-self-governing territories within the scope of the Commission and the welfare and advancement of their peoples.

The 21 articles and 67 paragraphs comprising the agreement specify in considerable detail the scope, organization, powers, and functions of the Commission itself, its secretariat, and its auxiliary bodies, mainly comprising the South Pacific Research Council and the South Pacific Conference, a periodic meeting of representatives of the territories concerned.⁴ While having no organic relations with the United Nations, the Commission is directed under article XV to cooperate as fully as possible with that body and with appropriate specialized agencies on matters of mutual concern.

The precise wording of the agreement, as providing the legal basis for the Commission's activities, necessarily underwent minute scrutiny at many points during the first two sessions. It says much for the wisdom and clarity of thought of those attending the 1947 South Seas Conference that al-

¹ For a report on the Conference, see BULLETIN of Mar. 16, 1947, p. 459.

² BULLETIN of Dec. 23, 1945, p. 1023.

³ Public Law No. 403, 80th Congress 2d Sess. (62 Stat. 15).

⁴ For the full text of the agreement, see South Seas Conference Papers, Doc. P/18, Feb. 6, 1947.

most no obscurities or ambiguities appeared to require further interpretation by the governments involved.

The South Pacific Commission itself consists of twelve commissioners, of whom each government has appointed two, with one designated as its senior commissioner. Alternate commissioners and advisers are also appointed as desired. Votes are cast by the senior commissioners only, and voting is in general on the basis of a two-thirds majority, though certain major budgetary and financial decisions require the concurrence of all senior commissioners. The chairmanship rotates alphabetically among governments from session to session. Two regular sessions are to be held each year, together with any further sessions the Commission may consider necessary. For the present the agreed cycle of regular sessions in late April-early May and late October-early November.

The first session of the Commission opened on May 11, 1948, with a personal welcome by the Australian Minister of External Affairs, Dr. Herbert Vere Evatt. The main agenda items were as follows:

(1) formulating rules of procedure to guide the Commission's work; (2) making preliminary arrangements for choosing a permanent seat; (3) defining procedures for filling the staff positions in the secretariat; (4) deciding the organization of the secretariat, including staff requirements and regulations, terms of appointment, and a classification and salary plan; (5) planning the specific organization of the Research Council; (6) preparing an initial budget, together with provisional financial regulations and an accounting system; (7) carrying forward from the South Seas Conference the formulation of a provisional work program consisting of a list of desirable projects, with attention to priorities; (8) liquidating the interim organization carried on to this time jointly by the Australian and New Zealand Governments; and (9) setting up a Working Committee consisting of representatives of all six governments to carry forward outstanding business between sessions.⁵

At the first session a plan evolved naturally of dividing the Commission personnel—in all some 30 persons—into two *ad hoc* committees. These committees, labeled A and B, each with a com-

missioner and an adviser or advisers from each participating government, met concurrently and were allotted those agenda items not yet ready to be handled directly in full Commission session. In this way almost every knotty problem was thrashed out in an informal committee setting, and a recommendation to which representatives of all delegations had agreed could then be placed before the Commission in plenary session. This committee organization proved so successful that it was adopted without question at the outset of the second session. In general, Committee B dealt with organizational, budgetary, and legal problems, Committee A dealt with the site, choice of personnel, the work program, the Research Council, and the South Pacific Conference.

The second session convened on October 25, 1948. In the interim period a small provisional secretariat had carried on essential staff activities in Sydney, under the part-time direction of an Acting Secretary-General, John R. Kerr, an Australian barrister, who had previously headed the interim organization. The six governments and their commissioners had also advanced the task of selecting the permanent seat and the permanent personnel, by authorizing the Working Committee as their main agency for continuing inter-consultation. In early September 1948 the Working Committee visited the two sites proposed for the headquarters, Nouméa, New Caledonia, and Suva, Fiji Islands, and examined in detail the local situation as regards buildings, housing, and other relevant matters. The governments also gave wide publicity regarding the senior secretariat positions available, so that by September the commissioners had before them the names of available candidates for the posts of Secretary-General, Deputy Secretary-General, and the full- and part-time members of the Research Council. Furthermore, unanimous agreement had been reached on selections for the two top administrative posts.

With this effective preparatory work in hand, the Commission at its second session was able to proceed rapidly with the completion of its major organizational tasks. On the evening of the first day, the decision was made by a majority vote to establish the permanent seat of the Commission at Nouméa. The Commission then proceeded to other agenda items, mainly working in committee, but holding periodic plenary sessions to pass upon committee resolutions and to check the accumulating summary record.

* See *Proceedings of the First Session* (mimeographed).

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By resolution of the first session, meetings of the Commission are to be held in public when matters directly relating to the economic and social welfare of the South Pacific peoples are under discussion. Because the second session, like the first, was primarily concerned with establishing the internal organization of the Commission, the meetings were, in general, not open to the press, though press statements were issued periodically. An exception was made, however, on the fifth day of the session, when representatives of the press were invited to morning and afternoon plenary sessions dealing with the work program.

The local French authorities offered exceedingly generous terms looking toward effective establishment of the Commission and its personnel at Nouméa. Precise details as to financing the site will be worked out at the third session, but the costs of the initial development will be relatively small. The Commission has followed closely the system developed by the United Nations to cover "privileges and immunities," both at the headquarters site and as relating to the territories of the participating governments.

The Commission has been fortunate in securing highly competent personnel to fill its top administrative and research posts. The Secretary-General is William D. Forsyth, Australian historian and diplomatic officer, who was serving as Australian member on the Trusteeship Council at the time of his appointment. Mr. Forsyth was able to be present during the second session and was sworn into office at one of the Commission's plenary sessions. Chosen for Deputy Secretary-General was an experienced officer of the British Colonial Service in the Pacific, H. E. Maude, who was Resident Commissioner of the Gilbert and Ellice Islands Colony, and is known to many Americans for his anthropological expertise as well as his administrative capacities. Additional permanent secretariat posts will be made, in accordance with the terms of the agreement, from among residents of the South Pacific territories.

The personnel of the Research Council was also named at the second session. The deputy chairman, who is responsible for developing the research phases of the Commission's work, is Dr. L. G. M. Baas-Becking, Dutch botanist, with long experience in research administration in Indonesia and previously in the United States, at Stanford University. As the work of the Research Council will fall into three main categories, namely health,

economic development, and social development (including education), full-time members will be appointed in each of these fields. At the second session, Maj. E. Massal, of the French Colonial Medical Service, who has had wide experience in the French Pacific territories, was chosen to head the program in health. For economic development, the full-time member is Dr. H. G. MacMillan, United States agricultural expert, who had a leading role in the military farm projects in Pacific islands during the war and in the postwar research program on the United States Commercial Company in the Micronesian Islands. The full-time member in the field of social development has not yet been named. In addition to the 4 full-time members, 13 part-time members have been named, as follows:

Health—Dr. J. T. Gunther (Australia), Dr. H. de Rook (Netherlands), Dr. J. C. Lopdell (New Zealand), Capt. W. P. Stephens, Medical Corps U.S.N. (United States)

Economic Development—The Director of the Institut Français d'Océanie (France), B. E. V. Parham (United Kingdom), Dean K. A. Ryerson (United States), J. G. Crawford (Australia)

Social Development—Sir Peter Buck, Director of the Bishop Museum (Hawaii), Howard Hayden (United Kingdom), W. C. Groves (Australia), Maurice Grangie (France), Rev. I. S. Kijne (Netherlands)

The Research Council held its first meeting at Nouméa on April 30, 1949. Meanwhile the full-time members have visited the main administrative centers in the islands in order to consult with the local administrative and technical specialists, and otherwise to lay a basis for developing the research program. It is expected that the full Research Council will meet usually once a year. Among its powers, as defined by the agreement, is the authority to appoint technical standing committees to deal with particular fields of research, and also (with Commission approval) *ad hoc* committees to handle special problems.* Special opportunity to advance the research work of the Commission was presented in February 1949 when observers from the Commission attended the seventh meeting of the Pacific Science Congress in New Zealand.

*For the powers and functions of the Research Council see articles VI to VIII of the agreement.

Articles IX-XII of the agreement provide for periodic meetings of representatives of the territories in a "South Pacific Conference." As with the West Indian Conference of the Caribbean Commission, this phase of the organization is designed to enable spokesmen for the resident populations to get together and discuss mutual problems. The following statements in the agreement define the functions of the Conference:

ARTICLE IX

In order to associate with the work of the Commission representatives of the local inhabitants of, and of official and non-official institutions directly concerned with, the territories within the scope of the Commission, there shall be established a South Pacific Conference with advisory powers as a body auxiliary to the Commission.

ARTICLE XII

The Conference may discuss such matters of common interest as fall within the competence of the Commission, and may make recommendations to the Commission on any such matters.

At the second session of the Commission the number of official delegates was fixed at 2 for each of 15 designated territories⁷ except 2 very small ones, Nauru and the Tokelaus, which will have 1 each. If the Kingdom of Tonga accepts a preferred invitation to send 2 delegates this will make a total of 30 official delegates. In addition, alternates and advisers up to a total of 32 (or 34 with Tonga) have been authorized.

The first meeting of the South Pacific Conference, the Commission has decided, will be held in Suva during the last week in April 1950. Subsequently it will meet, according to the terms of the agreement, at intervals not exceeding three years, and in different localities "with due regard to the principle of rotation." The gathering will be unique in that it will be the first time in the history

⁷ The Commission drew up for this purpose a list of 15 territorial units, the size, population, and ethnic character of which justified representation at the South Pacific Conference. They are as follows: Papua, New Guinea (Australian Trust Territory), Nauru, New Caledonia, French Establishments, Dutch New Guinea, Western Samoa, Tokelau Islands, Cook Islands (including Niue), Fiji, British Solomon Islands Protectorate, Gilbert Islands, Ellice Islands, American Samoa, New Hebrides Condominium. A possible sixteenth unit comprises the Kingdom of Tonga, which technically does not fall within the scope of the Commission, but which has been invited to participate in the Commission's activities. This list does not attribute the territorial units to specific countries and accordingly does not touch upon questions of sovereignty which in a few cases are still matters of international dispute.

of the area that representatives of these scattered island peoples will come together in such a manner. Further planning of the agenda and other arrangements for the first Conference will be undertaken at the next session of the Commission.

One of the most complicated aspects of the Commission's early work has been to prepare a budget and otherwise arrange its financial procedures. According to the agreement, the expenses of the Commission and its related bodies are to be apportioned among the participating governments as follows: Australia 30 percent; the Netherlands, New Zealand and the United Kingdom each 15 percent; France and the United States 12½ percent.

The first session worked out a provisional budget of 36,340 pounds sterling to cover fiscal operations from May 1948 to the end of the first year (Dec. 31, 1948). This included the settlement of certain financial obligations incurred previously by the interim organization. At this session it was also agreed to use an amount of 40,000 pounds sterling which had been already contributed proportionately by the participating governments as a revolving fund to meet such future obligations as may be incurred ahead of national contributions being received by the Commission. Because the Commission had merely a skeleton organization in the year 1948, the total expenditures have fallen far short of the provisional budget figures. The second session had the more difficult task of preparing a realistic budget for 1949, covering both administrative and research operations as they were expected to develop within that fiscal year. The budget, as passed with certain reservations, totaled 53,816 pounds sterling. Of this amount about 45 percent is for salaries and 25 percent for travel. A provisional amount of 6,000 pounds sterling has been allotted for research purposes, pending further clarification of the needs in this category. In Public Law 403, Congress set a maximum annual amount of \$20,000 to meet the costs of United States participation in the Commission. Considering the United States share as 12½ percent, this would automatically put a maximum of approximately \$160,000, or 40,000 pounds sterling at the present exchange rate, as the upper limit of the Commission's budget. The 1949 budget of 53,815 pounds sterling has already exceeded this amount, even though it was drawn up with the greatest stringency and economy, and represents little more

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than the regular administrative budget. Under present legislation, therefore, the United States faces the prospect of not being able to pay its full share of an increased budget.

In addition to all these organizational problems, the Commission at both sessions devoted considerable time to drafting a work program which would give preliminary definition to the tasks of welfare and development which the organization was established to handle. The South Seas Conference in 1947 had already drafted a list of possible projects, with some suggestions as to those deserving immediate attention. At the first session in May 1948, Committee A reviewed again the potential work program of the Commission. The commissioners and their advisers put on the committee table many suggestions offered by their governments and by themselves, and these were evaluated in terms of how far they were of common concern and deserved high priority. A draft for a provisional work program was then presented to the Commission as a whole and accepted. In general, this May formulation was based upon the idea that the Commission should carry out a relatively small number of carefully selected projects which represented the most crucial needs of the area as a whole.

At the second session this provisional work program was reviewed carefully, particularly to decide which projects could be initiated immediately by the full-time staff members as they assumed office and which might better be held over until the first meeting of the Research Council in April 1949. It was recognized that some projects could be carried forward rapidly by collecting and collating existing data. The Secretary-General was therefore directed to get these under way as rapidly as feasible. Included are measures looking toward improvement of air and sea transport services in the region; coordination of human quarantine measures and exchange of epidemiological information; coordination of information on fisheries research; pooling of information on expert assistance desired and available; liaison with public and private agencies doing experimental work in agriculture and industry with a view to disseminating information of their findings; collection and dissemination of information on technical training of islanders; development of a Commission library;

preparation of a record file of scientists and of public and private agencies interested in the region; investigation of the possible use of radio and visual aids in education.

A number of other projects, the Commission felt, called for new research, so that it was decided to postpone these items pending advice from the full-time members of the Research Council and the Research Council itself. Among such matters are improvement of the copra industry, including mechanization; control of plant and animal pests and diseases; research into health problems, particularly infant and maternal welfare; improvement of nutrition; stimulation and coordination of studies in vulcanology and seismology; improvement of tropical pasture lands; problems of conservation; studies of the impact of modern civilization on the traditional societies; and studies of labor conditions.

The Commission itself has shown a considerable diffidence about carrying forward too specifically its formulation of research needs until it can receive adequate technical advice from the Research Council. The work program is therefore still considered to be highly flexible.

The general future scope of the South Pacific Commission's activities may best be visualized by reference to article IV of the agreement. This defines its main powers and functions as follows:

(a) to study, formulate and recommend measures for the development of, and where necessary the co-ordination of services affecting, the economic and social rights and welfare of the inhabitants of the territories within the scope of the Commission, particularly in respect of agriculture (including animal husbandry), communications, transport, fisheries, forestry, industry, labor, marketing, production, trade and finance, public works, education, health, housing and social welfare;

(b) to provide for and facilitate research in technical, scientific, economic and social fields . . .;

(c) to make recommendations for the co-ordination of local projects . . . which have regional significance . . .;

(d) to provide technical assistance, advice and information . . . for the participating Governments;

(e) to promote co-operation with non-participating Governments and with non-governmental organisations of a public or quasi-public character having common interests in the area . . .;

(f) to address inquiries to the participating Governments on matters within its competence; and to discharge such other functions as may be agreed upon by the participating Governments.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

Genocide Convention Transmitted to the Senate

THE PRESIDENT'S LETTER OF TRANSMITTAL

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the Convention on the Prevention and Punishment of the Crime of Genocide, adopted unanimously by the General Assembly of the United Nations in Paris on December 9, 1948, and signed on behalf of the United States on December 11, 1948.

The character of the Convention is explained in the enclosed report of the Acting Secretary of State. I endorse the recommendations of the Acting Secretary of State in his report and urge that the Senate advise and consent to my ratification of this Convention.

In my letter of February 5, 1947, transmitting to the Congress my first annual report on the activities of the United Nations and the participation of the United States therein, I pointed out that one of the important achievements of the General Assembly's First Session was the agreement of the Members of the United Nations that genocide constitutes a crime under international law. I also emphasized that America has long been a symbol of freedom and democratic progress to peoples less favored than we have been and that we must maintain their belief in us by our policies and our acts.

By the leading part the United States has taken in the United Nations in producing an effective international legal instrument outlawing the world-shocking crime of genocide, we have established before the world our firm and clear policy toward that crime. By giving its advice and consent to my ratification of this Convention, which I urge, the Senate of the United States will demonstrate that the United States is prepared to take effective action on its part to contribute to the establishment of principles of law and justice.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 16, 1949.

REPORT OF THE SECRETARY OF STATE¹

The PRESIDENT,

The White House:

I have the honor to transmit to you a certified copy of the convention on the prevention and punishment of the crime of genocide, adopted unanimously by the General Assembly of the United Nations in Paris on December 9, 1948, with the recommendation that it be submitted to the Senate for its advice and consent to ratification.

The convention defines genocide to mean certain acts, enumerated in article II, committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such. These acts are discussed below.

The basic purpose of the convention is the prevention of the destruction of a human group as such. The first resolution of the General Assembly on this subject, 96 (I), adopted unanimously by the members of the United Nations on December 11, 1946, succinctly pointed out that—

Genocide is a denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings.

The resolution also pointed out that genocide shocks the conscience of mankind, results in great losses to humanity and is contrary to moral law. Of course, homicide also is shocking, results in losses to humanity and is contrary to moral law. The distinction between those two crimes, therefore, is not a difference in underlying moral principles, because in the case of both crimes, moral principles are equally outraged. The distinction is that in homicide, the individual is the victim; in genocide, it is the group.

The General Assembly declared in this resolution that the physical extermination of human groups, as such, is of such grave and legitimate

¹ S. Exec. O, June 16, 1949.

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international concern that civilized society is justified in branding genocide as a crime under international law. The extermination of entire human groups impairs the self-preservation of civilization itself. The recent genocidal acts committed by the Nazi Government have placed heavy burdens and responsibilities on other countries, including our own. The millions of dollars spent by the United States alone on refugees, many of them victims of genocide, and the special immigration laws designed to take care of such unfortunates illustrate how genocide can deeply affect other states. On September 23, 1948, Secretary of State Marshall stated that—

Governments which systematically disregard the rights of their own people are not likely to respect the rights of other nations and other people and are likely to seek their objectives by coercion and force in the international field.

It is not surprising, therefore, to find the General Assembly of the United Nations unanimously declaring that genocide is a matter of international concern.

Thus, the heart of the convention is its recognition of the principle that the prevention and punishment of genocide requires international cooperation. However, the convention does not substitute international responsibility for state responsibility. It leaves to states themselves the basic obligation to protect entire human groups in their right to live. On the other hand it is designed to insure international liability where state responsibility has not been properly discharged.

The convention was carefully drafted and, indeed, represents the culmination of more than 2 years of thoughtful consideration and treatment in the United Nations, as the following important steps in its formulation demonstrate:

The initial impetus came on November 2, 1946, when the delegations of Cuba, India, and Panama requested the Secretary-General of the United Nations to include in the agenda of the General Assembly an additional item: the prevention and punishment of the crime of genocide. The Assembly referred the item to its Sixth (Legal) Committee for study.

At its fifty-fifth plenary meeting on December 11, 1946, the Assembly adopted, without debate and unanimously, a draft resolution submitted by its Legal Committee. This resolution, referred to above, affirmed that "genocide is a crime under international law." It recommended international cooperation with a view to facilitating the prevention and punishment of genocide, and, to this end, it requested the Economic and Social Council of the United Nations to undertake the necessary studies to draw up a draft convention on the crime.

Pursuant to this resolution a draft convention on genocide was prepared by the ad hoc Committee on Genocide in the spring of 1948, under the chair-

manship of the United States representative on this committee. This draft was again discussed by the Economic and Social Council in July and August 1948 in Geneva, and then in the Legal Committee of the General Assembly at its third regular session in Paris, where again the United States delegation played an important role in the formulation of the draft convention.

On December 9, 1948, the General Assembly unanimously adopted the convention to outlaw genocide, which was signed by the United States 2 days later. When signing, the United States representative said, in part:

I am privileged to sign this convention on behalf of my Government, which has been proud to take an active part in the effort of the United Nations to bring this convention into being.

The Government of the United States considers this an event of great importance in the development of international law and of cooperation among states for the purpose of eliminating practices offensive to all civilized mankind.

Genocide is a crime which has been perpetrated by man against man throughout history. Although man has always expressed his horror of this heinous crime, little or no action had been taken to prevent and punish it. The years immediately preceding World War II witnessed the most diabolically planned and executed series of genocidal acts ever before committed. This time there was to be more than mere condemnation. A feeling of general repulsion swept over the world, and following the war manifested itself in the General Assembly's resolution of December 1946. It is this resolution to which the Legal Committee gave full content by providing the General Assembly with a legal instrument designed not only to prevent genocidal acts but also to punish the guilty.

The genocide convention contains 19 articles. Of these, the first 9 are of a substantive character, and the remaining 10 are procedural in nature.

The preamble is of a general and historical nature.

Article I carries into the convention the concept unanimously affirmed by the General Assembly in its 1946 resolution, that genocide is a crime under international law. In this article the parties undertake to prevent and to punish the crime.

Article II specifies that any of the following five acts, if accompanied by the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, constitutes the crime of genocide:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group; and

(e) Forcibly transferring children of the group to another group.

This article, then, requires that there should be a specific intent to destroy a racial, religious, national, or ethnical group as such in whole or in part. With respect to this article the United States representative on the Legal Committee said:

I am not aware that anyone contends that the crime of genocide and the crime of homicide are one and the same thing. If an individual is murdered by another individual, or indeed by a government official of a state, a crime of homicide has been committed and a civilized community will punish it as such. Such an act of homicide would not in itself be an international crime. To repeat the opening language of the resolution of the General Assembly of December 1946, "genocide is a denial of the right of existence of entire human groups." This remains the principle on which we are proceeding.

However, if an individual is murdered by another individual, or by a group, whether composed of private citizens or government officials, as part of a plan or with the intent to destroy one of the groups enumerated in article 2, the international legal crime of genocide is committed as well as the municipal-law crime of homicide.

The destruction of a group may be caused not only by killing. Bodily mutilation or disintegration of the mind caused by the imposition of stupefying drugs may destroy a group. So may sterilization of a group, as may the dispersal of its children.

Article III of the convention specifies that five acts involving genocide shall be punishable. These five genocidal acts are—

- (a) The crime of genocide itself;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide; and
- (e) Complicity in genocide.

The parties agree, in article IV, to punish guilty persons, irrespective of their status.

In article V the parties undertake to enact, "in accordance with their respective constitutions", the legislation necessary to implement the provisions of the convention. The convention does not purport to require any party to enact such legislation otherwise than in accordance with the country's constitutional provisions.

Article VI makes it clear that any person charged with the commission of any of the five genocidal acts enumerated in article III shall be tried by a court of the state in whose territory the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those states accepting such jurisdiction. Thus, the commission in American territory of genocidal acts would be tried only in American courts. No international tribunal is authorized to try anyone for the crime of genocide. Should such a tribunal be established, Senate advice and consent to United States ratification of any agreement establishing it would

be necessary before such an agreement would be binding on the United States.

By article VII the parties agree to extradite, in accordance with their laws and treaties persons accused of committing genocidal acts; none of such acts is to be considered a political crime for the purpose of extradition. The United States representative on the Legal Committee, in voting in favor of the convention December 2, 1948, said:

With respect to article VII regarding extradition, I desire to state that until the Congress of the United States shall have enacted the necessary legislation to implement the convention, it will not be possible for the Government of the United States to surrender a person accused of a crime not already extraditable under existing laws.

Existing United States law provides for extradition only when there is a treaty therefor in force between the United States and the demanding government. Only after Congress has defined, and provided for the punishment of, the crime of genocide, and authorized surrender therefor, will it be possible to give effect to the provisions of article VII.

Article VIII recognizes the right of any party to call upon the organs of the United Nations for such action as may be appropriate under the Charter for the prevention and suppression of any of the acts enumerated in article III. This article merely affirms the right of the United Nations to call upon an organ of the United Nations in matters within its jurisdiction.

Article IX provides that disputes between the parties relating to the interpretation, application, or fulfillment of the convention, including disputes relating to the responsibility of a state for any of the acts enumerated in article III, shall be submitted to the International Court of Justice, when any party to a dispute so requests.

On December 2, 1948, in voting in favor of the genocide convention, the representative of the United States made the following statement before the Legal Committee of the General Assembly:

I wish that the following remarks be included in the record verbatim:

Article IX provides that disputes between the contracting parties relating to the interpretation, application, or fulfillment of the present convention, "including those relating to the responsibility of a state for genocide or any of the other acts enumerated in article III," shall be submitted to the International Court of Justice. If "responsibility of a state" is used in the traditional sense of responsibility to another state for injuries sustained by nationals of the complaining state in violation of principles of international law and similarly, if "fulfillment" refers to disputes where interests of nationals of the complaining state are involved, these words would not appear to be objectionable. If, however, "responsibility of a state" is not used in the traditional sense and if these words are intended to mean that a state can be held liable in damages for injury inflicted by it on its own nationals, this provision is objectionable and my Government makes a reservation with respect to such an interpretation.

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In view of this statement, I recommend that the Senate give its advice and consent to ratification of the convention—

with the understanding that article IX shall be understood in the traditional sense of responsibility to another state for injuries sustained by nationals of the complaining state in violation of principles of international law, and shall not be understood as meaning that a state can be held liable in damages for injuries inflicted by it on its own nationals.

The remaining articles are procedural in nature. By article XIV the convention is to be effective for an initial period of 10 years from the date it enters into force, and thereafter for successive periods of 5 years with respect to those Parties which have not denounced the convention by written notification to the Secretary-General of the United Nations at least 6 months before the expiration of the current period.

Article XV provides that if there are less than 16 parties to the convention, as a result of denunciations, the convention shall cease to be in force from the effective date of the denunciation which reduces the number of parties to less than 16.

Article XVI authorizes any party to request revision of the convention, by notification in writing to the Secretary-General of the United Nations. The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

It is my firm belief that the American people together with the other peoples of the world will hail United States ratification of this convention as another concrete example of our repeatedly affirmed determination to make the United Nations the cornerstone of our foreign policy and a workable institution for international peace and security.

Respectfully submitted.

JAMES E. WEBB,
Acting Secretary.

(Enclosure: Certified copy of convention on the prevention and punishment of genocide.)²

THE CONGRESS

Legislation

Taxation Convention with Belgium. Message from the President of the United States transmitting the convention between the United States of America and Belgium for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on October 28, 1948. S. Exec. I, 81st Cong., 1st sess. 15 pp.

Exchange of Notes with Canada Providing for Diversions of Water for Power Purposes from the Niagara

River. Message from the President of the United States transmitting the texts of notes exchanged at Washington on December 23, 1948, between the Government of the United States of America and the Government of Canada, providing for temporary emergency diversions of water for power purposes from the Niagara River. S. Exec. J, 81st Cong., 1st sess. 4 pp.

Convention with Mexico for the Establishment of an International Commission for the Scientific Investigation of Tuna. Message from the President of the United States transmitting a convention between the United States of America and Mexico for the establishment of an international commission for the scientific investigation of tuna, signed at Mexico City, January 25, 1949. S. Exec. K, 81st Cong., 1st sess. 7 pp.

Study of Economic Concentration. S. Rept. 112, 81st Cong., 1st sess. Final Report pursuant to S. Res. 241, 80th Cong. 2 pp.

Noncitizens' Claims Against the United States. S. Rept. 117, 81st Cong., 1st sess. to accompany S. 937. 6 pp.

Extending Time for Filing Claims Under the War Claims Act of 1948. S. Rept. 131, 81st Cong., 1st sess. to accompany S. 326. 2 pp.

ECA and Strategic Materials. Report of the Joint Committee on Foreign Economic Cooperation created pursuant to Section 124 of Public Law 472, Eightieth Congress. S. Rept. 140, 81st Cong., 1st sess. iii. 56 pp.

Reports to the Congress by the Commission on Organization of the Executive Branch of the Government. Reports of the Commission including appendixes and other supporting documents. S. Doc. 28, 81st Cong., 1st sess. 5 pp.

Certain Cases in Which the Attorney General had Suspended Deportation. S. Rept. 124, 81st Cong., 1st sess. to accompany S. Con. Res. 22. 2 pp. S. Rept. 134, 81st Cong., 1st sess. to accompany S. Con. Res. 23. 2 pp. S. Rept. 168, 81st Cong., 1st sess. to accompany S. Con. Res. 24. 2 pp. S. Rept. 169, 81st Cong., 1st sess. to accompany S. Con. Res. 25. 2 pp.

Copper Import-Tax Suspension. H. Rept. 312, 81st Cong., 1st sess. to accompany H. R. 2313. 2 pp.

Continuation of Exemption from the Tax on Transportation of Persons of Foreign Travel Via Newfoundland. H. Rept. 322, 81st Cong., 1st sess. to accompany H. J. Res. 203. 2 pp.

Extension of the European Recovery Program. Report of the Committee on Foreign Affairs on H. R. 3748, a bill to amend the Economic Cooperation Act of 1948. H. Rept. 323, 81st Cong., 1st sess. iv, 77 pp. H. Rept. 323, Part 2, 81st Cong., 1st sess. to accompany H. R. 3748. 7 pp.

Amending the China Aid Act of 1948. H. Rept. 329, 81st Cong., 1st sess. to accompany H. R. 3830. 6 pp.

Amending Subsection (C) of Section 19 of the Immigration Act of 1917, as Amended, with Respect to Suspension of Deportable Aliens. H. Rept. 362, 81st Cong., 1st sess. to accompany H. R. 3875. 3 pp.

Reorganization Act of 1949. Hearings Before the Committee on Expenditures in the Executive Departments, United States Senate, Eighty-first Congress. First Session, on S. 526, a bill to provide for the reorganization of government agencies, and for other purposes. Feb. 2, 3, 7, 9, 10, and 15, 1949. iv, 230 pp.

Extension of European Recovery. Hearings before the Committee on Foreign Relations, United States Senate, Eighty-first Congress, First Session, on S. 833, a bill to amend the Economic Cooperation Act of 1948. Feb. 8, 9, 10, 11, 14, 15, 16, 17, and 28, 1949. v, 584 pp.

² For text of the convention, see BULLETIN of Dec. 19, 1948, p. 756.

The United States in the United Nations

UN Guard

[June 25-July 1]

The United States announced full support for Secretary-General Lie's revised proposal for a United Nations Guard as presented to the 14-nation Special Committee established by the General Assembly resolution of April 29 to study the subject. The Secretary-General's present plan calls for a "United Nations Field Service" of 300 men recruited from national governments to carry out the day-to-day functions of security, transportation, and communications for United Nations missions in the field. In addition there would be a Field Reserve Panel of 2,000 persons, which would be called into service when needed on a temporary basis for such functions as observation of a truce, or supervision of plebiscites.

The United States spokesman emphasized the importance of the early establishment of an efficient standing field service of moderate size. He further stated that the proposal made clear that no substitute for the armed forces contemplated in article 43 of the Charter was intended. The United States felt as strongly as other member states, he said, that there should be a clear understanding that the proposed field service would be entirely distinct in nature and functions from the article 43 armed forces.

Korea

The Commission for Korea has reported to United Nations headquarters the departure of the last United States occupation forces from Korea on June 29. This withdrawal is in conformity with the General Assembly resolution of last December calling for withdrawal of such forces from all Korea "as early as practicable." Although the U. S. S. R. has announced withdrawal of its forces from North Korea, the Commission has not been allowed to enter that territory for verification.

Trusteeship Council

The fifth session of the Trusteeship Council opened on June 15. Ambassador Roger Garreau of France was elected president, and Ambassador Padillo Nervo of Mexico, vice president.

A suggestion submitted by Ambassador Francis B. Sayre, United States representative, that the rules provide for annual meetings of the Trusteeship Council in January, with a second meeting in June "or at such time as the President and the Secretary-General might designate," was adopted.

Plans were made by the Council for the departure on November 1 of its Visiting Mission to

West Africa. The United States member on this 4-man mission will be Benjamin Gerig, it was announced by Ambassador Sayre. The Mission was directed to observe developing political, economic, social, and educational conditions in the Trusteeship Territories of West Africa, as well as progress toward self-government or independence, and administration efforts to achieve basic Trusteeship objectives. The Mission was also directed to consider petitions from the local populations.

The Trusteeship Council devoted several sessions to a study of the effect of Administrative Unions in Trusteeship Territories, prepared by an interim committee. Ambassador Sayre, in the discussion, characterized the problem as a continuing one which required the "watchful gaze" of the Trusteeship Council. Accordingly, a suggestion jointly submitted by the United States and Mexico, that the Trusteeship Council conduct a continuing study of the effects of existing or proposed Administrative Unions involving Trusteeship Territories, was accepted as a basis for discussion.

The Council then turned to consideration of Australia's annual report as administering authority of Nauru. Ambassador Sayre said that the report was "commendable" in both form and substance. Australia had conscientiously endeavored to act in the interest of the inhabitants, he remarked. In view of the almost complete literacy of the indigenous population, he believed the Trusteeship Council could look forward to a rapid increase in their participation in the administration.

Protection of Minorities

An extensive preliminary study of the problem of minorities and of measures designed to protect them, and the adoption of six resolutions on the subject were the principal tasks performed by the twelve experts who compose the Subcommission on the Prevention of Discrimination and the Protection of Minorities which ended its second session at Lake Success June 27. The resolutions dealt with (1) cooperation of non-governmental organizations, (2) documentation, (3) national coordinating committees, (4) provision to be added to the Draft International Covenant of Human Rights, (5) information on the status of minorities and (6) facilities to be provided for minorities.

The Subcommission plans to hold its next session in January 1950 in Geneva just prior to the meeting of the Human Rights Commission.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Calendar of Meetings¹

Adjourned during June

		1949
United Nations:		
International Law Commission	Lake Success	Apr. 12-June 9
Ecosoc (Economic and Social Council):		
Commission on Human Rights: Fourth Session . . .	Lake Success	May 9-June 20
Economic Commission for Latin America: Second Session.	Habana	May 29-June 14
Subcommission on Freedom of Information and the Press: Third Session.	Lake Success	May 31-June 14
Economic Commission for Europe: Inland Transport Committee.	Geneva	June 13-
Permanent Central Opium Board: 53rd Session	Geneva	June 13-
Diplomatic Conference for the Drawing up of a New Convention Intended to Protect War Victims.	Geneva	Apr. 21-June
ITU (International Telecommunication Union):		
Region II—Fourth Inter-American Radio Conference	Washington	Apr. 25-June
ICAO (International Civil Aviation Organization):		
European Frequency Meeting: Second Session	Paris	Apr. 26-June
Council: Seventh Session	Montreal	May 17-June
Third Assembly	Montreal	June 7-
Legal Committee: Fourth Session	Montreal	June 7-
Four-Power Discussions Regarding Swiss-Allied Accord	Washington	May 10-June
Organizational Meetings of the Council of the International Authority for the Ruhr.	London	May 20-June
Inter-American Bar Association: Sixth Meeting	Detroit	May 22-June 1
Council of Foreign Ministers: Sixth Session	Paris	May 23-June 20
ILO (International Labor Organization):		
Governing Body: 109th Session	Geneva	May 27-June
International Whaling Commission: First Meeting	London	May 30-June
The President's Highway Safety Conference	Washington	June 1-3
UNESCO (United Nations Educational, Scientific and Cultural Organization):		
Interim Committee for the Permanent Bureau to Coordinate International Congresses of Medical Sciences.	Paris	June 9-
Executive Board: Fifteenth Session	Paris	June 9-
International Conference on Science Abstracting	Paris	June 20-25
Journées Médicales de Bruxelles (Medical Days of Brussels):		
Twenty-third Session.	Brussels	June 11-15
International Tin Study Group: Fourth Meeting	London	June 13-
Caribbean Commission: Eighth Meeting	Port-of-Spain, Trinidad	June 13-18
Fao (Food and Agriculture Organization):		
Council: Sixth Session	Paris	June 13-25
Southeast Asia Conference on Rinderpest Control Problems.	Bangkok	June 20-24
Twelfth International Conference on Adult Education	Elsinore, Denmark	June 16-25
Fifth International Grassland Congress	Noordwijk, Netherlands	June 22-26
Iro (International Refugee Organization):		
General Council: Extraordinary Session	Geneva	June 22-
International Sugar Council	London	June 23-

In session as of July 1, 1949

		1948
United Nations:		
Commission on Korea	Seoul	Dec. 12-
Commission on India and Pakistan	Lake Success	Jan. 3-
Security Council	Lake Success	Jan. 7-
Conciliation Commission for Palestine	Haifa, Jerusalem, and Rhodes	Jan. 28-
Subcommission on Prevention of Discrimination and Protection of Minorities: Second Session.	Lake Success	June 13-
Permanent Central Opium Board: 53rd Session	Geneva	June 13-
Trusteeship Council: Fifth Session	Lake Success	June 15-
Narcotic Drugs Supervisory Body: 32nd Session	Geneva	June 20-

Calendar of Meetings—Continued

In Session as of July 1, 1949—Continued

ITU (International Telecommunication Union): Provisional Frequency Board	Geneva	Jan. 15— 1948 1949
Region I Frequency Conference	Geneva	May 18—
Region III Frequency Conference	Geneva	May 18—
Meeting of the Technical Planning Committee of the International High Frequency Broadcasting Conference.	Paris	June 23—
GATT: Third Session of Contracting Parties	Annecy, France	Apr. 8—
ILO (International Labor Organization): 32nd International Labor Conference	Geneva	June 8—
WHO (World Health Organization): Second General Assembly	Rome	June 13—
Second International Film and Fine Arts Festival	Brussels	June 18—
Second Inter-American Conference on Indian Life.	Cuzco, Peru	June 24—
CFM Deputies for Austria	London	June 25—
IMO (International Meteorological Organization): Regional Commission VI (Europe): Fourth Session	London	June 27—
ICEF (International Children's Emergency Fund): Executive Board	Lake Success	June 27—
Scheduled July 1 to September 30, 1949		
International Philatelic Exhibition	Brussels	July 1—
UNESCO (United Nations Educational, Scientific and Cul- tural Organization): Meeting of Experts on Copyright	Paris	July 4—
Conference to Establish an International Council on Arts in General Education	Paris	July 18—
Meeting of Commission on Technical Needs in Press, Radio, and Films	Paris	July 25—
Mass Illiteracy Seminar and Seminar for Teachers	Rio de Janeiro	July 27—
Committee of Experts on Engineering Sciences	Paris	Aug. 16—
Committee of Experts on Reproduction in Visual Art	Paris	Aug. 22—
International Technical Conference on the Protection of Nature	Lake Success	Aug. 22—
Executive Board: 16th Session	Paris	Sept. 3—16
Committee of Experts on Exchange of Persons Problems	Paris	Sept. 9—
General Conference: Fourth Session	Paris	Sept. 19—
Twelfth International Conference on Public Education	Geneva	July 4—
United Nations: Ecosoc (Economic and Social Council): Ninth Session	Geneva	July 5—
Scientific Conference on the Conservation and Utilization of Resources	Lake Success	Aug. 17—
Conference on Road and Motor Transport	Geneva	Aug. 23—
General Conference: Fourth Session	Paris	Sept. 19—
Permanent Central Opium Board: 54th Session	Geneva	Sept. 26—
Interim Coordinating Committee for International Com- modity Arrangements	Lake Success	September
International Wheat Council: First Session	Washington	July 5—
IMO (International Meteorological Organization): Annual Session	Lausanne	July 6—
WHO (World Health Organization): Executive Board: Fourth Session	Geneva	July 8—
First Pan American Congress of Engineering	São Paulo and Rio de Janeiro	July 8—
Second Pan American Congress of Social Service	Rio de Janeiro	July 10—17
FAO (Food and Agriculture Organization): Third World Forestry Conference	Helsinki	July 10—20
Meeting of Farm Machinery Supply Countries	Washington	July 25— ²
Meeting of Specialists on Control of Pests and Diseases of Field Crops	London	July
Meeting of Specialists on Agricultural Extension	Europe	Aug. 1—
Meeting of Specialists on Foot-and-Mouth-Disease Con- trol	London	Aug. 14—
Fourth Meeting of Technical Committee on Wood Chem- istry	Brussels	August
Conference on Locust Control	Central America	September
Meeting of Technical Committee on Food Composition	Washington	September
Meeting on Mechanical Wood Technology	Geneva	September
European Forestry and Forest Products Commission	Undetermined	September

Calendar of Meetings—Continued

Scheduled July 1 to September 30, 1949—Continued

		1949
ILO (International Labor Organization): Meeting of Executive Representatives of Governments and Specialized Agencies on Migration.	Geneva	July 18-
Industrial Committee on Metal Trades: Third Session . . .	The Hague	Aug. 22-
Permanent Agricultural Committee: Third Session . . .	Geneva	August or September
Technical Tripartite Conference on Safety in Coal Mines .	Geneva	Sept. 12-
Conference for the Revision of the 1945 Bermuda Tele- communications Agreement.	London	July 21-
International Penal and Penitentiary Commission: Meeting of the Executive Committee	Bern	July 30-
ITU (International Telecommunication Union): Administrative Aeronautical Radio Conference: Second Session	Paris	Aug. 1-
Fourth Meeting of the Administrative Council	Geneva	Aug. 15-
Meeting of the International Penal and Penitentiary Com- mission.	Bern	Aug. 1-
XIV International Veterinary Congress	London	Aug. 8-
Venice International Film Festival	Venice	Aug. 11-
Twelfth International Dairy Congress	Stockholm	Aug. 15-
Izmir International Fair	Izmir, Turkey	Aug. 20-
International Seed Testing Association: Meeting of the Constitutional Committee.	Belfast	Aug. 24-
Tenth International Exhibition of Cinematographic Art . . .	Venice	August
Pan American Institute of Geography and History: First Pan American Consultation on Geography	Santiago	August
Diplomatic Conference on the Revision of the Convention for the Protection of Literary and Artistic Works.	Switzerland	August or September
Cannes Film Festival	Cannes	Sept. 2-
29th International Congress of Americanists	New York	Sept. 5-12
International Statistical Institute: 26th Session	Bern	Sept. 3-10
Budapest International Fair	Budapest	Sept. 3-18
Vienna International Fair	Vienna	Sept. 11-
International Bank for Reconstruction and Development; Fourth Annual Meeting of the Board of Governors	Washington	Sept. 12-
International Monetary Fund: Fourth Annual Meeting of the Board of Governors	Washington	Sept. 12-
Third North American Regional Broadcasting Agreement Conference	Ottawa	Sept. 13-
Royal Netherlands Industry Fair	Utrecht	September
XVII International Navigation Congress	Lisbon	September
ILO General Council: Third Session	Geneva	September
International Commission for Uniform Methods of Sugar Analysis	Prague	September
First Session of the Inter-American Council of Jurists	Rio de Janeiro	September

¹ Prepared in the Division of International Conferences, Department of State.

² Tentative.

ADDRESS BY WILLARD L. THORP

On June 23 Assistant Secretary Thorp delivered an address on the subject of The Church and International Relations at the Sixth International Congregational Council, Wellesley College, Wellesley, Mass., June 23. Text was issued as press release 476.

CORRECTIONS

In the BULLETIN of June 19, 1949, left column, 4th line, the third word, "path" should be "task". The sentence should read "The task is difficult and requires firm determination and steadfast effort." In the same column, the 32d line "peace. The task is difficult and requires firm de—" should be deleted.

This correction applies also to the BULLETIN Reprint of "Essential Elements of Lasting Peace", publication 3553.

The Lisbon Conference on Central and South African Transportation Problems

by Maxwell Harway

European colonial powers of Central Africa and the Union of South Africa have taken the first step toward the organization of a permanent regional council for the coordination of transport for Africa, south of the Equator. The formation of this permanent council¹ may result in expanding the Congo Basin treaty² to include a larger geographic area.

This was the outstanding achievement of the Conference on Central African Transportation which met at Lisbon, Portugal, May 24 to May 31, 1949, at the invitation of the Portuguese Government. Participating in the work of this Conference were the United Kingdom, Belgium, France, Portugal, and the Union of South Africa.³ The United States of America was represented by observers.⁴

The Conference, which had been convened primarily to fix a time and place and prepare an agenda for a subsequent meeting in Africa to

promote the development of adequate transportation resources in the region, was expanded during the course of its proceedings. The enlargement of the scope of the Conference took the form of recommendations to the participating governments for immediate action and other recommendations for consideration by the Plenary Conference, which was designated to meet in Johannesburg, South Africa, in October 1950.

The recommendations of the Lisbon Conference were incorporated in a Final Act⁵ which recognizes the regional character of the transportation problems to be solved. This Final Act contains nine appendices, each covering a different aspect of the Conference deliberations. While the Final Act consists of recommendations for consideration by the governments and for action by the Johannesburg Conference, it was adopted by unanimous agreement and, consequently, has a moral standing beyond the preliminary legal character of the document.

The Lisbon Conference considered and referred for final action a series of general principles governing international traffic which were drawn from the Congo Basin treaty.⁶ The Portuguese Foreign Minister, Dr. Caeiro da Mata, in opening the Conference, and the British Ambassador, in response to the Foreign Minister, both referred to the Congress of Berlin of 1885 and expressed their belief that this Conference was a continuation and an extension of the work of the Berlin Congress.⁷ On another occasion, the presiding officer of the Conference, Dr. Ulrich, indicated that the general principles being referred to the Johannesburg Conference would extend the principles of the Congo Basin treaty to a larger geographic area.

The Johannesburg Plenary Conference will have representatives from all the governments at the Lisbon Conference, plus Southern Rhodesia, East African High Commission, High Commission Territories in South Africa, Northern Rhodesia,

¹ For the functions and structure of this permanent council see appendix VIII to Final Act, p. 856.

² Revision of the General Act of Berlin of February 26, 1885, and the General Act and Declaration of Brussels of July 2, 1890; convention between United States of America and other powers—signed at Saint-Germain-en-Laye, Sept. 10, 1919 (generally called the Congo Basin treaty). Treaty Series 877.

³ Chiefs of Delegation:

United Kingdom: Sir Nigel Ronald, British Ambassador at Lisbon.

Portugal: Dr. Ruy Ulrich, President of the Faculty of Law at University of Lisbon and Former Ambassador at London.

France: M. Jean du Sault, French Ambassador at Lisbon.

Belgium: M. Debacker, Royal Inspector of colonies.

Union of South Africa: Dr. P. R. Botha, South African Minister at Lisbon.

⁴ The United States was represented by three observers:

Abbot Low Moffat, Chief of Trade, Finance and Development Section, ECA Mission to London; John E. Orchard, Special Adviser on Development of Overseas Territories, OSR, Paris; Maxwell Harway, Office of Transport and Communications, Department of State.

⁵ See p. 854.

⁶ Appendix VII to Final Act, p. 856.

Nyasaland, General Government of Angola, General Government of Mozambique, the Administration of the Belgian Congo, and the Administration of French Equatorial Africa. The United States has again been invited to send observers.

During the period between the Lisbon and the Johannesburg Conferences, an interim organization will be established at Pretoria, South Africa, to act as a clearing house on transport questions and to prepare for the Plenary Conference.⁸

The participating governments agreed to keep each other informed through the interim organization of all changes and developments in inland transport facilities and operations and to take no action which might affect the transportation systems of neighboring territories without prior consultation with the affected countries. The problem of railway tariff structures received examination by the delegations and the participating governments were requested to "examine their railway rating systems with a view to establishing whether the development of the territories was being retarded or likely to be retarded by the railway tariff structure in operation." Furthermore, the governments will consider placing on the agenda of the Johannesburg Conference the question of interterritorial and international railway tariffs.⁹ A number of long-term port and railway projects were referred for subsequent consideration by the Plenary Conference.¹⁰

As an immediate measure for improving transport facilities in the region,¹¹ the Lisbon Conference recommended "that the Government of Portugal should be urged to proceed immediately with the extension and improvement of the Port of Beira in Mozambique." It was further recommended that the Government of Southern Rhodesia should be urged to proceed immediately with the construction of a rail connection with Lourenço Marques. The establishment of a direct rail line between the Rhodesias and Lourenço Marques will provide an additional outlet for the important minerals being extracted in the interior and now dependent mainly on the overcrowded port of Beira. As a further improvement in transport from the interior to coastal points the Conference recommended consideration of increased use of the Benguela Railway and the port of Lobito, Portuguese Anglia, on the Atlantic.

Incorporating the work of a highway subcommittee, the Final Act recommends development of standard vehicle-use regulations and traffic codes and agreement on construction and maintenance standards for international road traffic for final consideration at the Plenary Conference.¹²

The Lisbon Conference followed earlier conferences among European colonial powers in Africa on tropical medicine and agriculture. Consequently, it emphasized once again the willingness of these countries to cooperate in the common in-

terest. In recommending to their governments the permanent coordination of transport, the delegates were aware of the historical importance of such cooperation and all the final speeches took notice of the importance of joint action in Africa for European recovery, world trade, and the potentialities of African economic development.

⁸ From the opening remarks of the Portuguese Foreign Minister, May 24, 1949:

"Africa is a prolongation of Europe: the Mediterranean does not separate them; on the contrary, it is the link between the two continents. Africa is the integration of Europe. The possibilities of Africa require a survey for the benefit of humankind

"It has been the aim of Europe and America to co-operate in Africa on a large scale. The Conference of Berlin in 1885 was one of the first attempts to this effect. Great changes have taken place since then and many years will probably have to lapse before this ideal is carried out. It is in order to remove as far as possible the obstacles to the free circulation of goods that the Conference meets in Lisbon today, and I feel sure that you will find a solution to the problem facing you. In the first international treaties relative to Africa or zones of Africa the principle of freedom of commerce, of establishment, and of communications has been recognized as essential."

⁹ From the remarks of the British Ambassador, May 24, 1949:

"Your Excellency alluded to the Conference of Berlin. That Conference took place in 1885. For more than 60 years we have been fiddling with the problem of how to bring some sort of order into the transport system of Africa. Up to now, too many fine schemes have come to grief owing to the obtrusion of sectional interests of the shareholders; the interests of the territorial authorities; the interests of national price. Far too many people have thought first and foremost of the axes they themselves wished to grind. Indeed, there have grown up a series of agreements, which could almost be classed as agreements for restraint of trade. Agreements have been entered into to deflect the passage of goods away from obvious and natural economic channels. It has even been alleged that there have been failures to observe the spirit of international treaties. We cannot hope to go on, each of us regarding only his own interests. We find ourselves now under an impulsion which never previously existed. We have got to pull together if we are to hope to survive at all. We have got to see to it that Africa makes a really worth-while contribution to world recovery.

"We cannot, of course, hope to build up over-night a new world center of heavy industry in Africa south of the Equator. Whatever else Africa has to give in the next ten or fifteen years, we can be sure that disappointment will figure fairly prominently on the list of her exports. But we can at least hope to attain the more limited objective of building up in Africa those local centres of industry which will lessen the strains and stresses of having to import every manufactured article from overseas and of providing those auxiliary forward bases of heavy industry which are essential for quick development . . . But, one thing is quite certain, that is that none of those plans will come to fruition without a rational transport system."

⁸ Appendix I to Final Act p. 855.

⁹ Appendix IX to Final Act p. 856.

¹⁰ Appendix IV to Final Act p. 856.

¹¹ Appendix II to Final Act p. 855.

¹² Appendix V to Final Act p. 856.

Final Act Conference on Central African Transportation Problems

LISBON, 31st May, 1949.

WHEREAS the Governments of Belgium, France, Portugal, the Union of South Africa, and the United Kingdom recognise that the development of the economic resources of Central Africa is essential to the social and economic advancement of the peoples of this region, that this advancement is the constant preoccupation of the Governments concerned, who have already for several years cooperated successfully in technical matters concerning the territories for which they are responsible;

WHEREAS the development of the resources of Central Africa should normally lead to an increased interchange with Europe, America and the other Continents and will therefore be in the interest of the entire world;

WHEREAS, they recognise that a sound and coordinated development of port and transport facilities in Central Africa is basic to such development; that such development must be directed to the benefit of the region as a whole; and that decisions regarding such development must be taken with that consideration in mind;

AND WHEREAS they have caused their delegates to assemble at a preliminary conference in Lisbon at the invitation of the Portuguese Government to consider these problems within the framework of the following terms of reference:

(a) To examine the present conditions of land and water transport in Africa in the areas referred to in (e) below, and their present state of efficiency and development;

(b) To exchange information on the plans of the various territories concerned in relation to railway and port construction, development of inland waterways and extension of trunk roads serving inter-territorial functions;

(c) To examine the possibility of inter-relating these plans in the best interests of the territories concerned as a whole;

(d) To draft an agenda for a full-scale conference of governments with technical assistance to be held in Africa at a later date; to fix an approximate date for such a Conference and to decide its venue;

(e) To define the area within the scope of the Conference as comprising Angola, Basutoland, Bechuanaland Protectorate, Belgian Congo, British East Africa, French Equatorial Africa, Mozambique, Northern Rhodesia, Nyasaland, Southern Rhodesia, South West Africa, Swaziland and the Union of South Africa.

Be it Resolved by those assembled delegates to recommend to their respective Governments:—

1. That the Governments should co-operate in the development of Central African port and transport facilities on a regional basis and work together to that end.

2. That to carry out this policy of co-operation, a Plenary Conference should be convened at Johannesburg in October, 1950 to consider fully the matters outlined in the agenda set forth in paragraph 9.

3. That the following Governments and Administrations not represented at the Lisbon Conference should be

invited to send representatives, including technical experts, to the Plenary Conference; Southern Rhodesia, East Africa High Commission, High Commission Territories in South Africa, Northern Rhodesia, Nyasaland, Government General of Angola, Government General of Mozambique, the Administration of the Belgian Congo and the Administration of French Equatorial Africa, and also that the United States of America be invited to send an observer or observers to such Plenary Conference.

4. That an interim organisation should be established as soon as possible at Pretoria to deal with matters arising prior to the Plenary Conference and to ensure that when the Plenary Conference meets it shall have before it all pertinent data. Detailed recommendations regarding the constitution and functions of such interim organisation are set forth in Appendix 1.

5. That each Government should keep the interim organisation fully and currently informed, for prompt transmission to the other Governments, of all changes, improvements and developments in inter-territorial or international port and transport facilities and operations within its territories.

6. That each Government should take no action relating to inter-territorial or international port or transport facilities or operations which might affect inter-territorial or international transportation or the intra-territorial transportation of other territories without prior consultation with the country or countries affected thereby.

7. That the Governments, between now and the Plenary Conference to be convened in Johannesburg examine their railway rating systems with a view to establishing whether the development of the territories served is being retarded or likely to be retarded by the railway tariff structure in operation.

8. That each Government should proceed, without awaiting the Plenary Conference to be convened in Johannesburg, with developments which will promote Central African inter-territorial and international port and transport facilities and operations. In particular the Governments concerned should proceed with the specific developments referred to in Appendix II.

9. That the following agenda should be adopted by the Plenary Conference to be convened in Johannesburg:

AGENDA

(i) To receive and consider plans for the development of inter-territorial and international port and transport facilities. (Conference resolutions on this point will be found in appendices III, IV, V and VI.)

(ii) To make recommendations for the correlation and co-ordination of the plans submitted to it.

(iii) To consider and recommend the priorities to be allocated to the developments, in respect of their urgency from a regional viewpoint and of the availability of supplies and finance.

(iv) To receive a report on the improvements effected in port and transport facilities and operations since the Lisbon Conference was held.

(v) To examine proposals designed to facilitate the

movement of inter-territorial and international traffic. (Conference resolution on this point will be found in Appendix VII.)

(vi) To consider the setting up of a permanent organisation for co-ordinating and advising on the development and operation of inter-territorial and international transport in the area within the purview of the Conference. (Conference resolution on this point will be found in Appendix VIII.)

(vii) Other business. (A Conference resolution pertinent to this point will be found in Appendix IX.)

10. That the Governments represented at Lisbon should signify through the usual diplomatic channels their approval of this Final Act to the other Governments concerned as soon as may be.

APPENDIX I

(To Final Act)

Be It Resolved: That there should be immediately established at Pretoria¹ a small interim organisation on the following basis and with the following functions—

(i) The interim organisation should be composed in the first instance of a secretary who would be provided with such clerical assistance as may be necessary;

(ii) The cost of the interim organisation should fall equally upon the participating Governments and Administrations;

(iii) The functions of the interim organisation should be:—To receive and collate the information called for in items (i) and (iv) of the recommended Agenda for the Plenary Conference to be convened in Johannesburg; To seek such further information as appears to the Secretary to be necessary for the deliberations of the Plenary Conference; To circulate such information to the member Governments and Administrations;

(iv) If it appears to the Secretary that a decision requires to be taken on any matter before the meeting of the Plenary Conference, he should, with the consent of the participating Governments and Administrations, convene a meeting of suitable experts to be appointed by Governments and Administrations to advise on that question;

(v) When a decision has been taken as to the headquarters of the permanent organisation, the interim organisation should, if this proves to be necessary, be transferred to the permanent venue and thus compose the nucleus of the permanent organisation.

APPENDIX II

(To Final Act)

WHEREAS the Conference has considered the import and export traffic requirements of the Central African territories in relation to available port capacity, and has found:

(1) That the total traffic requirements of Northern and Southern Rhodesia and Nyasaland are estimated to amount by 1952 to 2,950,000 short tons per annum (it being understood that in view of the Portuguese Delegation it is unnecessary to provide in the estimate of traffic offering for local traffic requirements or the output from the Tete coalfield other than coal for ship bunkering purposes);

(2) That the port of Beira has a capacity at present of 1,600,000 tons, which can be raised within a short period by 400,000 tons by extension of berthing, and by a further 400,000 tons by the installation of mechanical loading facilities for minerals, as recommended by the Joint Mission of Survey in their report dated 10th October, 1947;

(3) That there will thus remain a short-fall of port capacity below traffic offering of the order of 550,000 tons

and that adequate facilities for handling this traffic exist at Lourenço Marques;

Be It Resolved: That it is urgently necessary to provide additional facilities for the export and import traffic of Northern and Southern Rhodesia and Nyasaland and to this end:

(1) The Government of Portugal should be urged to proceed immediately with the extension and improvements of the Port of Beira to the capacity indicated above;

(2) The Government of Southern Rhodesia should be urged to proceed immediately with the construction of a rail connection with Lourenço Marques. The line that can be built with the least delay is that linking West Nicholson with Beitbridge;

(3) The improvements of capacity at Beira and the construction of the new railway link with Lourenço Marques should be put in hand concurrently, and at the same time the Government of the Union of South Africa should make the improvements to the railway from Zoekmekar to Komatiopoort for the additional traffic which will have to be carried by this line;

(4) The possibility should be examined of making more use of the Benguela Railway and the Port of Lobito for traffic arising which it may be impracticable to convey by the other routes.

APPENDIX III

(Final Act)

Be It Resolved: That each Government and Administration should prepare and submit to the Plenary Conference to be convened in Johannesburg for its consideration information on the following matters:

Railways

- (i) Full statistics relating to existing systems and capacity;
- (ii) Plans for the further development of existing routes;
- (iii) Proposed routes showing gauge to be used;
- (iv) Connections with other systems;
- (v) Estimates of capacity of proposed routes;
- (vi) Economic conditions and prospects in the country to be traversed;
- (vii) Forecasts of tonnages of exports and imports and types of commodities;
- (viii) Internal traffic;
- (ix) Diversion of traffic, if any, from other routes;
- (x) Internal effect of construction of new lines, e. g. change of gauge, braking systems, etc.

Ports

- (i) Full statistics relating to existing ports including details of existing capacity;
- (ii) Proposals for new construction and equipment, including details of potential capacity;
- (iii) Forecasts of tonnages of exports and imports;
- (iv) Diversion of traffic, if any, from other routes.

Roads

- (i) Full statistics relating to mileage and standards of existing international road systems;
- (ii) Diversion of traffic, if any, from other transport systems.

Inland Waterways

- (i) Full statistics relating to existing systems;
- (ii) Proposals for development;
- (iii) Diversion of traffic, if any, from other transport systems.

Maps

All Statements should be accompanied by suitable maps and, where feasible, by suitable photographs.

¹ Pursuant to a resolution of the Conference that "the question of the venue at which the provisional organisation should be set up should be decided by the Government or Administration of the territory in which it is agreed that the Conference in Africa should be held."

APPENDIX IV

(Final Act)

Be It Resolved: That the following long-term port and railway projects should be considered by the Plenary Conference to be convened in Johannesburg—

- (1) The suggested connection from the Rhodesia Railway system to the East African system and the port of Mtwara. In this connection the Government of the United Kingdom is invited to conclude the necessary surveys and reconnaissances before the Plenary Conference;
- (2) The suggested connection from the Rhodesian system to Lourenco Marques via Parfuri;
- (3) The suggested connection from the port of Nacala to the Rhodesian Railway system at Broken Hill;
- (4) The suggested construction of an additional port on the west coast together with a rail connection with the hinterland.

APPENDIX V

(Final Act)

WHEREAS the Conference recognises that to cater adequately for road traffic, international as well as local, suitable construction and maintenance standards as well as vehicle use regulations and traffic codes are necessary;

Be It Resolved: That the Plenary Conference to be convened in Johannesburg should consider:

1. The introduction of a system of designation by the Governments concerned of "international highways" in accordance with plans co-ordinated on an international basis;
2. The setting up of minimum standards of construction and maintenance, as may be dictated by varying degrees of road and vehicle use, which should be applied by Governments along international highways;
3. The preparation of uniform traffic regulations and traffic codes (including traffic signs appropriate to the African territories) and standards of highway amenities, to be commended to the Governments for general adoption;
4. Measures for ensuring the full and free interchange of the results of research, experimentation and experience in highway and road transport matters.
5. The fiscal regime to be applied to the international highways in respect to the circulation of vehicles, the supply of petrol and fuel oil, the facilities to be granted for the establishment of repair workshops along the roads, and telephone communications—as well as the taxes and charges for such services as may be available.

APPENDIX VI

(To Final Act)

Be It Resolved: That the possibility of further utilization of the Zambezi River for transport should be considered by the Plenary Conference to be convened in Johannesburg.

APPENDIX VII

(To Final Act)

Be It Resolved: That the Plenary Conference to be convened in Johannesburg should examine the following proposals designed to facilitate the movement of inter-territorial and international traffic;

- (a) That goods in transit should not be subjected to undue delay or to the payment of special taxes except those normally imposed for the maintenance of roads railways or inland waterways, or to any form of discrimination;
- (b) That existing customs facilities should be simplified;
- (c) That steps should be taken to avoid unnecessary delay in the transit of passengers and that they should be free from the necessity to obtain visas for the purpose of crossing a country;

(d) That the right to pass through a country under a different sovereignty in respect of persons, luggage and goods shall be freely afforded by Governments and Administrations. Governments, in adopting measures for the proper enforcement of police customs and health regulations should take into consideration the necessity of facilitating and expediting the transit of inter-territorial traffic;

(e) That carriages, wagons and rolling stock generally may be permitted to pass freely from one transport system to another by agreement between the Governments or Administrations concerned;

(f) That reasonable facilities should be given to the nationals of one country who by reason of their duties in connection with inter-territorial transport systems are obliged to reside in a neighbouring country.

APPENDIX VIII

(To Final Act)

WHEREAS consideration of the statements and information submitted to the Lisbon Conference by the delegations has led the Conference to the conclusion that, if the transport problems of the territories with which the Conference is concerned are to receive adequate and co-ordinated consideration, an inter-territorial transport council on a permanent basis should be established;

Be It Resolved: That the Lisbon Conference recommends that the Plenary Conference to be convened in Johannesburg should consider the establishment of a permanent inter-territorial council on the following basis and with the following functions:

- (i) The Council should be composed of one delegate from each country or administration who should be an expert in transport matters;
- (ii) The Council should have the power to co-opt further experts for the consideration of particular problems as required;
- (iii) The Council should meet from time to time as may be required;
- (iv) The Council should have a permanent secretariat financed jointly by member Governments and Administrations; it should be housed at some convenient central point;
- (v) The Council should—

(a) consult upon any problems of transport brought to its notice by member Governments and Administrations and advise upon their solution. The member Governments and Administrations would be empowered to bring to notice any problem affecting transport within, or to or from their own territories, whether of a short term nature such as the congestion of a particular port or railway line, or of a long term nature involving, for example, expected future transport requirements; in any question in dispute preference should be given to the claims of the land-locked territories;

(b) consider the systematic preparation and tabulation of information concerning inter-territorial transport facilities in Africa, and to prepare estimates of future requirements for the information of member Governments;

(c) advise, as requested by member Governments and Administrations, upon the *prima facie* practicability of any designated inter-territorial route.

APPENDIX IX

(To Final Act)

Be It Resolved: That the Governments represented at the Lisbon Conference should consider adding to the Agenda of the Plenary Conference to be convened in Johannesburg the question of inter-territorial and international railway tariffs.

THE RECORD OF THE WEEK

The Paris Conference of the Council of Foreign Ministers

COMMUNIQUE

[Released to the Press June 21]

The sixth session of the Council of Foreign Ministers attended by the Ministers of Foreign Affairs of France, Robert Schuman; of the Union of Soviet Socialist Republics, A. Y. Vyshinsky; of the United Kingdom, Ernest Bevin; and of the United States of America, Dean Acheson, took place in Paris from May 23 to June 20, 1949. During this meeting the German question and the Austrian treaty were discussed. The Council of Foreign Ministers took the following decisions.

I. The German Question

Despite the inability at this session of the Council of Foreign Ministers to reach agreement on the restoration of the economic and political unity of Germany, the Foreign Ministers of France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States will continue their efforts to achieve this result and in particular now agree as follows:

1. During the course of the fourth session of the General Assembly of the United Nations to be convened next September, the four governments, through representatives at the Assembly, will exchange views regarding the date and other arrangements for the next session of the Council of Foreign Ministers on the German question.

2. The occupation authorities, in the light of the intention of the Ministers to continue their efforts to achieve the restoration of the economic and political unity of Germany, shall consult together in Berlin on a quadripartite basis.

3. These consultations will have as their purpose, among others, to mitigate the effects of the present administrative division of Germany and of Berlin, notably in the matters listed below:

(A) Expansion of trade and development of the financial and economic relations between the Western zones and the Eastern zone and between Berlin and the zones.

(B) Facilitation of the movement of persons and goods and the exchange of information between the Western zones and the Eastern zone and between Berlin and the zones.

(C) Consideration of questions of common interest relating to the administration of the four sectors in Berlin with a view to normalizing as far as possible the life of the city.

4. In order to assist in the work envisaged in paragraph 3, the respective occupation authorities may call upon German experts and appropriate German organizations in their respective jurisdictions for assistance. The Germans so called upon should exchange pertinent data, prepare reports and, if agreed between them, submit proposals to the occupation authorities.

5. The Governments of France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States agree that the New York agreement of May 4, 1949, shall be maintained.¹ Moreover, in order to promote further the aims set forth in the preceding paragraphs and in order to improve and supplement this and other arrangements and agreements as regards the movement of persons and goods and communications between the Eastern zone and the Western zones and between the zones and Berlin and also in regard to transit, the occupation authorities, each in his own zone, will have an obligation to take the measures necessary to insure the normal functioning and utilization of rail, water, and road transport for such movement of persons and goods and such communications by post, telephone, and telegraph.

6. The occupation authorities will recommend to the leading German economic bodies of the Eastern and Western zones to facilitate the establishment of closer economic ties between the zones and more

¹ BULLETIN of May 15, 1949, p. 631.

effective implementation of trade and other economic agreements.

II. The Austrian Treaty

The Foreign Ministers have agreed:

(A) That Austria's frontiers shall be those of January 1, 1938;

(B) That the treaty for Austria shall provide that Austria shall guarantee to protect the rights of the Slovene and Croatian minorities in Austria;

(C) That reparations shall not be exacted from Austria, but that Yugoslavia shall have the right to seize, retain, or liquidate Austrian property, rights and interests within Yugoslav territory;

(D) That the Soviet Union shall receive from Austria \$150,000,000 in freely convertible currency to be paid in six years;

(E) That the definitive settlement shall include:

(1) The relinquishment to Austria of all property, rights or interests held or claimed as German assets and of war industrial enterprises, houses, and similar immovable property in Austria held or claimed as war booty, on the understanding that the deputies will be instructed to define more accurately the categories of war booty transferred to Austria (with the exception of those oil assets and DDSG—Danube Shipping Company—properties transferred to the Soviet Union under other paragraphs of article 35 of the treaty indicated in the U.S.S.R. proposals of January 24, 1948, as revised, and retained in general under Austrian jurisdiction). Accordingly the assets of the DDSG in Bulgaria, Hungary, and Rumania as well as 100 percent of the assets of the company in eastern Austria in accordance with a list to be agreed upon by the deputies will be transferred to the U.S.S.R.

(2) That the rights, properties, and interests transferred to the U.S.S.R. as well as the rights, properties, and interests which the U.S.S.R. cedes to Austria shall be transferred without any charges or claims on the part of the U.S.S.R. or on the part of Austria. At the same time it is understood that the words "charges or claims" mean not only creditor claims as arising out of the exercise of the Allied control of these rights, properties, and interests after May 8, 1945, but also all other claims including claims in respect of taxes. It is also understood that the reciprocal waivers by the U.S.S.R. and Austria of charges and claims apply to all such charges and claims as exist on the date when Austria formalizes the rights of the U.S.S.R. to the German assets transferred to it and on the date of the actual transfer to Austria of the assets ceded by the U.S.S.R.

(F) That all former German assets which have become the property of the U.S.S.R. shall not be subject to alienation without the consent of the U.S.S.R.

(G) That the deputies shall resume their work promptly for the purpose of reaching agreement not later than September 1, 1949, on the draft treaty as a whole.

STATEMENT BY PRESIDENT TRUMAN

[Released to the Press by the White House June 21]

The Secretary of State has given me daily reports, and now a final report, on the recently concluded session of the Council of Foreign Ministers in Paris.

Genuine progress was made at this session toward the conclusion of the treaty with Austria. This is a development which I know will be most welcome to the people of Austria, who for 4 years since the end of hostilities have lived under a regime of occupation. Almost 6 years ago, at the first Moscow conference in 1943, it was solemnly declared that Austria was to be regarded not as an enemy country but as a liberated country, the first victim of Nazi aggression, and it has been the consistent effort of the United States Government and the Governments of the United Kingdom and France to honor the pledge made at that time. Yet previous meetings of the Council of Foreign Ministers and their deputies failed to remove the obstacles which certain Soviet claims concerning Austria placed in the way of a speedy conclusion of a treaty with the Austrian Republic.

At the Paris session the more important of these obstacles were finally removed by a freely negotiated agreement among the Four Powers, and we have reason to hope that before the end of the year the treaty may be signed. Such a positive achievement would be very gratifying. The Austrian people will acclaim this progress, and they in turn should be commended for their attitude of patient understanding throughout the protracted negotiations. The Austrian Government has been currently consulted during the negotiations in Paris, and the agreement reached preserves intact the vital interests of Austria. It can be said that the goal so important for Austria and her people is at last in sight. The United States Government wholeheartedly welcomes the results of the conference on Austria.

The same cannot be said regarding Germany. It must be frankly admitted that despite the forward-looking program sponsored by the Western powers as a basis for unification, little progress was made. The American delegation went to Paris with the serious intention of developing a constructive program which would meet the requirements for all of Germany and would safeguard the interests of all Four Powers in insuring that Germany would achieve its reconstruction along peaceful and democratic lines. At the same time, the Western powers were determined not to compromise the democratic principles and the conditions which must be established throughout

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Germany before an economically sound and workable solution can be found for German unity. They were equally determined not to jeopardize the basic freedoms as they now exist in Western Germany merely to obtain a nominal political unity. In these objectives they knew they had the support of the freely elected representatives of the majority of the German people.

The Soviet Union, on the other hand, sought a return to Potsdam and its system, which the Russians had rendered unworkable by their misuse of the unlimited veto. They refused to recognize the important progress which has been made in Western Germany since 1945.

In these circumstances, real progress for the unification of Germany and its people was impossible. The most that could be achieved was a working arrangement designed to mitigate the abnormal situation of a still divided Germany. This arrangement is no more nor less than what it professes to be—a means of dealing with what actually exists. It reaffirms the lifting of the Berlin blockade and contains the recognition by the occupation authorities of their obligation to insure the movement of persons and goods between the Eastern and Western zones and between Berlin and the zones.

In an effort to mitigate the economic consequences of the existing division of Germany, the arrangement provides for consultation among the Occupation authorities of the four Occupying Powers on practicable and useful measures which may be taken from time to time, particularly to facilitate and increase the flow of balanced trade between the different zones and the zones and sectors of Berlin in a manner advantageous to the Germans of the respective areas. To this end we are also prepared to call upon the expert assistance of the Germans in the Western zones and sectors. Since it proved impossible to establish a unified administration for Germany or even for Berlin, the present dual currency system must remain for the time being.

We are hopeful that such consultations and efforts may be fruitful. We shall endeavor to make them so.

Finally, our working arrangement calls for an exchange of views in the fall. Thus the door is left open to future efforts for a solution of the German problem and the achievement of peace in Europe.

The Secretary of State has informed me of the close cooperation and understanding which characterized the relations of the three Western powers throughout the conference. I take much satisfaction in this. It is a demonstration of the progress made possible by the identity of ideals and values which are the common heritage of the peoples of the Atlantic community.

I am convinced that the results of the Paris meeting of the Council of Foreign Ministers reveal the correctness of the policies this government

has been following in our foreign affairs. The results again underline the necessity of pursuing these policies with calmness and determination, as the only sure road to the establishment of conditions in the world where peace and freedom can live and endure. I am confident that the American people see this as clearly as I do and that there will be no slackening of our efforts to achieve the great task which history has placed upon our country.

REPORTS TO CONGRESSIONAL COMMITTEES ON RESULTS OF CONFERENCE

Statements by Secretary Acheson

[Released to the Press June 22]

Following his meeting with the Senate Foreign Relations Committee, in executive session, on June 22, Secretary of State Dean Acheson issued the following statement:

Prior to my departure for Paris to attend the meeting of the Council of Foreign Ministers, I met with the Senate Foreign Relations Committee in executive session, outlining the problems we expected to face and discussing our plans. I have just met again with the members of the Committee. I reported upon the Conference and discussed with the Committee the possible effect of developments at the Conference on our plans for the future.

I have taken this opportunity to express to the Committee my conviction that although some worthwhile progress was made at Paris in reaching agreement on a *modus vivendi* for Germany and on the principal points of difference on the Austrian treaty, the failure of the Conference to obtain satisfactory and firm agreement on the economic and political unification of Germany illustrates the still widely divergent views on basic issues between the Soviet Union and the Western powers and reemphasizes the utmost importance of ratification of the North Atlantic pact and passage of the Military Assistance Program at this session of Congress. This is necessary in order that we may continue our firm policy in Europe and maintain the momentum which has been stimulated by that policy. This momentum, in my opinion, was responsible for the lifting of the blockade, the convening of the Council of Foreign Ministers meeting, and the accomplishments at that meeting.

I have expressed to the Committee my conviction that further progress toward our objective over the months ahead will depend on the action we take to maintain this momentum.

[Released to the Press June 23]

Following his meeting with the House Foreign Affairs Committee in executive session on June 23, Secretary of State Dean Acheson issued the following statement:

I have just met with the Foreign Affairs Committee to report to them on the meeting of the Council of Foreign Ministers. I expressed to them, as I did to the Senate Foreign Relations Committee yesterday, my conviction that the developments at the Conference reemphasize the utmost importance of ratification of the North Atlantic pact and passage of the Military Assistance Program at this session of Congress.

EXTEMPORANEOUS REMARKS BY SECRETARY ACHESON CONCERNING HIS IMPRESSIONS OF THE CONFERENCE

[Released to the press June 23]

You have had a great deal of excellent reporting from day to day as to what has been happening at Paris with a good deal of interpretation as we went along. The President has made a very full summary of the ultimate conclusions from it. I thought that perhaps the most helpful thing I could do today is to give you an impression which was made on my mind as to what happened and why it happened and where we go from here.

In the first place, I think it is important that everybody understands, and I am sure you do, although I doubt whether people throughout the country do, that these meetings of the Council of Foreign Ministers are not battles of individual champions where particularly bright ideas are whet or sharp maneuvers count for very much. It is not the personalities involved, it is not the ability of the individuals who represent countries, which makes a great deal of difference. I think the heart of the matter is somewhere else.

You will recall that General Marshall, following his return from the London Council of Foreign Ministers meeting in December 1947, said that he did not think that the Council of Foreign Ministers would get much further until there was some resolution of the great problem of Europe, which was: Is Western Europe going to recover and regain its strength, or is it not?

General Marshall at that time expressed his confidence that this would come about and that we were going to help. He mentioned the Soviet prediction that it would not occur.

It is in the progress that has been achieved in the restoration of Western Europe that you should look for the explanation of what happened at Paris. It has been the success of the cooperative efforts in Western Europe to which the United States has so greatly contributed in the last two years that made this meeting of the Council of Foreign Ministers different from its predecessors. It was those programs, plus the magnificent success, courage, and performance of the airlift which, in the first place, brought about the lifting of the blockade, and in the second place, brought about the situation which emerged from Paris. In other words, these conferences from now on seem to me

to be like the steam gauge on a boiler, the indicator on the steam boiler. They indicate the pressure which has been built up. They indicate the various gains or losses in position which have taken place between the meetings, and I think that the recording of this Conference is that the position of the West has grown greatly in strength, and that the position of the Soviet Union in regard to the struggle for the soul of Europe has changed from the offensive to the defensive.

The significance of this is very important in explaining why no agreement was possible about Germany. Being on the defensive, the Soviet Union was forced to take, or did take at any rate, the attitude that it would not relax its hold in any way whatever upon any area which it controlled in Germany. It would not relax its hold on the Eastern zone of Germany or on the Eastern sectors of Berlin. That fact, in and of itself, made any agreement impossible because the whole essence of the Western program was to relax this iron grip of military government from the Western zones of Germany. The whole program of the Western powers has been to return as quickly as was safe responsibility to the Germans, responsibility for conducting their own affairs and for conducting their own affairs under a system which guaranteed the basic human freedoms and contained the safeguards necessary for the security of Europe and of the world.

That was a program from which we could not retreat one single solitary inch. We did not. We never could consider it, and no agreement was possible on the basis of our retreating from that position.

The Soviet Union was totally unable to accept that position because that meant relaxing their hold upon what they had. It meant that they could no longer carry on this Sovietization, this domination of the life of Germany which they controlled. To do so they would have to give, as we have given, the Germans a large voice in the conduct of their own affairs. That the Soviets were apparently afraid to do. They knew that if they did that, they would no longer be able to control what they now hold in Germany.

That, I think, is the heart of the whole conference so far as Germany is concerned and it is a very significant fact. It indicated that in the West we are not on the defensive. We feel that strength is returning, that recovery is coming. We are willing to say to the Germans, "You must take responsibility in your own country, and we want to bring you into the life of free Europe, we hope before long, as equals." The Russians can not say that. They dare not say that, because if they relax their hold upon the Eastern Germans, they know that they will be no longer able to control that area.

That is one of the central things which I wanted to bring up, so that, as I say, as a result of that, we refused to make any concessions of fundamental principles. We are going forward with our pro-

gram without any hesitation of any sort. Not the slightest delay has been introduced into our program in any way whatever, and the program is in better shape today than it ever was before. Now, that is a negative result from Paris but it is an important one.

So far as the *modus vivendi* regarding Germany is concerned, that is a very modest document. The importance of the Conference is not in that document. It is in what I have been talking about. It is in what did not happen rather than in what did happen. The *modus vivendi* relaxes the tension in Germany. It establishes very clearly that the blockade is not to be reimposed. Now, don't think that I am naive enough to believe that simply because it has been agreed in the *modus vivendi* that it would not be reimposed; that it, in fact, would not be reimposed if conditions seemed to warrant that action as a successful operation to the Russians. The point is that having considered all the matters which in the past have been given as reasons for imposing the blockade, the currency reform, the London agreement, the formation of the West German Government—all those things—have been talked about. At the end of four weeks of talks, it is agreed that the blockade shall not be reimposed. That is something, not much, but it is something.

The other part of the communiqué on Germany provides for dealing with matters at administrative levels, so that ordinary difficulties and disputes may not rise to the levels of governmental crises. The High Commissioners, at their level, will deal with trade questions between East and West Germany if the desire is expressed to expand those trade relations. Those trade relations will have to be expanded on a balancing and equal basis. No one is going to extend credit to anyone else, therefore, exports must balance, and they must balance not only in terms of amount but in terms of essentiality. All those matters will be worked out if they can be worked out by the High Commissioners. But a forum is established, a place where meetings can take place between East and West so that these matters do not rise to the point of creating great issues between the governments. Similarly, in Berlin, arrangements have been made so that the Commandants can meet and discuss the thousand and one problems of the split city. No power is given. No veto resides in anybody, but a forum again is created where people can meet and talk about the intensely irritating situation which would exist here in Washington if this city were split at Fourteenth Street and you had one government on one side with one currency and another government on the other side with another currency, with troops on both sides, preventing the intercourse between the two parts

of the city which was once bound completely together. There are thousands of questions which might be eased by meetings of that sort. Here again, that is not much. It is simply a way of dealing sensibly with the established fact that the city is split and the country is split and they can not be put together at this time.

So much for what happened on Germany.

In regard to Austria, a substantial step forward was taken. There the principal problems which have been preventing the writing of a treaty were not completely solved, but the avenue toward solution was found. The matter of the Yugoslav claims as to territory and reparations is disposed of. That has been finished. That, of course, has been a great impediment. That is out of the way.

The terribly complex and harassing problem of German property claimed by the Soviet Union has been solved in its major outlines. The Soviet Government will get 60 percent of the oil properties as a concession for some 30 years, and 150 million dollars over 6 years, and in return for that, it will release all other properties.

There are a great many perplexing and technical questions involved in carrying that out but once you reach that solution, I think these other questions can be worked out, and this arrangement is not a victory for anybody. It was a sharply bargained arrangement in which I think it is perfectly fair to both sides and under which—when the treaty is written—a viable and independent Austria, which will have to scratch hard for its living but which will still be viable and independent, can emerge and rejoin the community of free nations.

To me, the main great lesson of the Paris meeting is that what has been done has been brought about largely by the efforts of the American people, by their will and by their determination. If that ground is to be held and if the advance is to be continued, those efforts must be continued. There is no such thing as standing still in this operation. You either move forward or you move back. If we are going to move forward, we must move forward with new effort, with renewed determination. We must ratify the Atlantic pact. We must get on with the Military Assistance Program. We must do these other essential things which are now before the Congress. It is my conviction that the people of Europe are prepared to move forward with great courage and great determination. They hope and expect that we will do likewise. If we do, then I think the power and influence of the West will continue to grow. This will result in a greater possibility of solving the questions we did not solve at Paris. If we don't, I think we are going to slip back.

The President's Recommendations for Technical Assistance Program for Underdeveloped Areas Sent to the Congress¹

To the Congress of the United States:

In order to enable the United States, in cooperation with other countries, to assist the peoples of economically underdeveloped areas to raise their standards of living, I recommend the enactment of legislation to authorize an expanded program of technical assistance for such areas, and an experimental program for encouraging the outflow of private investment beneficial to their economic development. These measures are the essential first steps in an undertaking which will call upon private enterprise and voluntary organizations in the United States, as well as the government, to take part in a constantly growing effort to improve economic conditions in the less developed regions of the world.

The grinding poverty and the lack of economic opportunity for many millions of people in the economically underdeveloped parts of Africa, the Near and Far East, and certain regions of Central and South America, constitute one of the greatest challenges of the world today. In spite of their age-old economic and social handicaps, the peoples in these areas have, in recent decades, been stirred and awakened. The spread of industrial civilization, the growing understanding of modern concepts of government, and the impact of two World Wars have changed their lives and their outlook. They are eager to play a greater part in the community of nations.

All these areas have a common problem. They must create a firm economic base for the democratic aspirations of their citizens. Without such an economic base, they will be unable to meet the expectations which the modern world has aroused in their peoples. If they are frustrated and disappointed, they may turn to false doctrines which hold that the way of progress lies through tyranny.

For the United States the great awakening of these peoples holds tremendous promise. It is not only a promise that new and stronger nations will be associated with us in the cause of human freedom, it is also a promise of new economic strength and growth for ourselves.

With many of the economically underdeveloped areas of the world, we have long had ties of trade

and commerce. In many instances today we greatly need the products of their labor and their resources. If the productivity and the purchasing power of these countries are expanded, our own industry and agriculture will benefit. Our experience shows that the volume of our foreign trade is far greater with highly developed countries than it is with countries having a low standard of living and inadequate industry. To increase the output and the national income of the less developed regions is to increase our own economic stability.

In addition, the development of these areas is of utmost importance to our efforts to restore the economies of the free European nations. As the economies of the underdeveloped areas expand, they will provide needed products for Europe and will offer a better market for European goods. Such expansion is an essential part of the growing system of world trade which is necessary for European recovery.

Furthermore, the development of these areas will strengthen the United Nations and the fabric of world peace. The preamble to the Charter of the United Nations states that the economic and social advancement of all people is an essential bulwark of peace. Under article 56 of the Charter, we have promised to take separate action and to act jointly with other nations "to promote higher standards of living, full employment, and conditions of economic and social progress and development."

For these various reasons, assistance in the development of the economically underdeveloped areas has become one of the major elements of our foreign policy. In my inaugural address, I outlined a program to help the peoples of these areas to attain greater production as a way to prosperity and peace.

The major effort in such a program must be local in character; it must be made by the people of the underdeveloped areas themselves. It is essential, however, to the success of their effort that there be help from abroad. In some cases, the peoples of these areas will be unable to begin their part of this great enterprise without initial aid from other countries.

¹ H. Doc. 240, 81st Cong., 1st sess.

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The aid that is needed falls roughly into two categories. The first is the technical, scientific, and managerial knowledge necessary to economic development. This category includes not only medical and educational knowledge, and assistance and advice in such basic fields as sanitation, communications, road building, and governmental services, but also, and perhaps most important, assistance in the survey of resources and in planning for long-range economic development.

The second category is production goods—machinery and equipment—and financial assistance in the creation of productive enterprises. The underdeveloped areas need capital for port and harbor development, roads and communications, irrigation and drainage projects, as well as for public utilities and the whole range of extractive, processing, and manufacturing industries. Much of the capital required can be provided by these areas themselves, in spite of their low standards of living. But much must come from abroad.

The two categories of aid are closely related. Technical assistance is necessary to lay the groundwork for productive investment. Investment, in turn, brings with it technical assistance. In general, however, technical surveys of resources and of the possibilities of economic development must precede substantial capital investment. Furthermore, in many of the areas concerned, technical assistance in improving sanitation, communications, or education is required to create conditions in which capital investment can be fruitful.

This country, in recent years, has conducted relatively modest programs of technical cooperation with other countries. In the field of education, channels of exchange and communication have been opened between our citizens and those of other countries. To some extent, the expert assistance of a number of Federal agencies, such as the Public Health Service and the Department of Agriculture, has been made available to other countries. We have also participated in the activities of the United Nations, its specialized agencies, and other international organizations to disseminate useful techniques among nations.

Through these various activities, we have gained considerable experience in rendering technical assistance to other countries. What is needed now is to expand and integrate these activities and to concentrate them particularly on the economic development of underdeveloped areas.

Much of the aid that is needed can be provided most effectively through the United Nations. Shortly after my inaugural address, this government asked the Economic and Social Council of the United Nations to consider what the United Nations and the specialized international agencies could do in this program.

The Secretary-General of the United Nations thereupon asked the United Nations Secretariat and the Secretariats of the specialized interna-

tional agencies to draw up cooperative plans for technical assistance to underdeveloped areas. As a result, a survey was made of technical projects suitable for these agencies in such fields as industry, labor, agriculture, scientific research with respect to natural resources, and fiscal management. The total cost of the program submitted as a result of this survey was estimated to be about 35 million dollars for the first year. It is expected that the United Nations and the specialized international agencies will shortly adopt programs for carrying out projects of the type included in this survey.

In addition to our participation in this work of the United Nations, much of the technical assistance required can be provided directly by the United States to countries needing it. A careful examination of the existing information concerning the underdeveloped countries shows particular need for technicians and experts with United States training in plant and animal diseases, malaria and typhus control, water supply and sewer systems, metallurgy and mining, and nearly all phases of industry.

It has already been shown that experts in these fields can bring about tremendous improvements. For example, the health of the people of many foreign communities has been greatly improved by the work of United States sanitary engineers in setting up modern water supply systems. The food supply of many areas has been increased as the result of the advice of United States agricultural experts in the control of animal diseases and the improvement of crops. These are only examples of the wide range of benefits resulting from the careful application of modern techniques to local problems. The benefits which a comprehensive program of expert assistance will make possible can only be revealed by studies and surveys undertaken as a part of the program itself.

To inaugurate the program, I recommend a first year appropriation of not to exceed 45 million dollars. This includes 10 million dollars already requested in the 1950 Budget for activities of this character. The sum recommended will cover both our participation in the programs of the international agencies and the assistance to be provided directly by the United States.

In every case, whether the operation is conducted through the United Nations, the other international agencies, or directly by the United States, the country receiving the benefit of the aid will be required to bear a substantial portion of the expense.

The activities necessary to carry out our program of technical aid will be diverse in character and will have to be performed by a number of different government agencies and private instrumentalities. It will be necessary to utilize not only the resources of international agencies and the United States Government, but also the facili-

ties and the experience of the private business and nonprofit organizations that have long been active in this work.

Since a number of Federal agencies will be involved in the program, I recommend that the administration of the program be vested in the President, with authority to delegate to the Secretary of State and to other government officers, as may be appropriate. With such administrative flexibility, it will be possible to modify the management of the program as it expands and to meet the practical problems that will arise in its administration in the future.

The second category of outside aid needed by the underdeveloped areas is the provision of capital for the creation of productive enterprises. The International Bank for Reconstruction and Development and the Export-Import Bank have provided some capital for underdeveloped areas, and, as the economic growth of these areas progresses, should be expected to provide a great deal more. In addition, private sources of funds must be encouraged to provide a major part of the capital required.

In view of the present troubled condition of the world—the distortion of world trade, the shortage of dollars, and other aftereffects of the war—the problem of substantially increasing the flow of American capital abroad presents serious difficulties. In all probability novel devices will have to be employed if the investment from this country is to reach proportions sufficient to carry out the objectives of our program.

All countries concerned with the program should work together to bring about conditions favorable to the flow of private capital. To this end we are negotiating agreements with other countries to protect the American investor from unwarranted or discriminatory treatment under the laws of the country in which he makes his investment.

In negotiating such treaties we do not, of course, ask privileges for American capital greater than those granted to other investors in underdeveloped countries or greater than we ourselves grant in this country. We believe that American enterprise should not waste local resources, should provide adequate wages and working conditions for local labor, and should bear an equitable share of the burden of local taxes. At the same time, we believe that investors will send their capital abroad on an increasing scale only if they are given assurance against risk of loss through expropriation without compensation, unfair or discriminatory treatment, destruction through war or rebellion, or the inability to convert their earnings into dollars.

Although our investment treaties will be directed at mitigating such risks, they cannot eliminate them entirely. With the best will in the world a foreign country, particularly an underdeveloped country, may not be able to obtain the dollar exchange necessary for the prompt remit-

tance of earnings on dollar capital. Damage or loss resulting from internal and international violence may be beyond the power of our treaty signatories to control.

Many of these conditions of instability in underdeveloped areas which deter foreign investment are themselves a consequence of the lack of economic development which only foreign investment can cure. Therefore, to wait until stable conditions are assured before encouraging the outflow of capital to underdeveloped areas would defer the attainment of our objectives indefinitely. It is necessary to take vigorous action now to break out of this vicious circle.

Since the development of underdeveloped economic areas is of major importance in our foreign policy, it is appropriate to use the resources of the government to accelerate private efforts toward that end. I recommend, therefore, that the Export-Import Bank be authorized to guarantee United States private capital, invested in productive enterprises abroad which contribute to economic development in underdeveloped areas, against the risks peculiar to those investments.

This guarantee activity will at the outset be largely experimental. Some investments may require only a guarantee against the danger of inconvertibility, others may need protection against the danger of expropriation and other dangers as well. It is impossible at this time to write a standard guarantee. The Bank will, of course, be able to require the payment of premiums for such protection, but there is no way now to determine what premium rates will be most appropriate in the long run. Only experience can provide answers to these questions.

The Bank has sufficient resources at the present time to begin the guarantee program and to carry on its lending activities as well without any increase in its authorized funds. If the demand for guarantees should prove large, and lending activities continue on the scale expected, it will be necessary to request the Congress at a later date to increase the authorized funds of the Bank.

The enactment of these two legislative proposals, the first pertaining to technical assistance and the second to the encouragement of foreign investment, will constitute a national endorsement of a program of major importance in our efforts for world peace and economic stability. Nevertheless, these measures are only the first steps. We are here embarking on a venture that extends far into the future. We are at the beginning of a rising curve of activity, private, governmental, and international, that will continue for many years to come. It is all the more important, therefore, that we start promptly.

In the economically underdeveloped areas of the world today there are new creative energies. We look forward to the time when these countries will be stronger and more independent than they are now, and yet more closely bound to us and to other

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nations by ties of friendship and commerce, and by kindred ideals. On the other hand, unless we aid the newly awakened spirit in these peoples to find the course of fruitful development, they may fall under the control of those whose philosophy is hostile to human freedom, thereby prolonging the unsettled state of the world and postponing the achievement of permanent peace.

Before the peoples of these areas we hold out the promise of a better future through the democratic way of life. It is vital that we move quickly to bring the meaning of that promise home to them in their daily lives.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 24, 1949.

Where Do We Stand on Point Four?

by George V. Allen, Assistant Secretary for Public Affairs¹

President Truman, you will recall, launched the planning of a world technical cooperation program, on a cooperative basis, with his declaration of policy at his inauguration last January 20.

He said that the United States, in cooperation with the United Nations, and with other governments, would attempt to pool the technical knowledge and skills of the more advanced countries to stimulate the progress of the underdeveloped countries.

There was obviously both selfishness and altruism in Mr. Truman's proposal. It was selfish because the United States does its greatest trade with the countries that are economically prosperous. It was selfish because an economy of private enterprise can remain most healthy in a worldwide expanding economy. It was selfish because the peace of the world and the security of the United States depends upon the well-being of the underdeveloped nations.

On the other hand, this plan was altruistic because the United States was not seeking any political favors. It was asking no privileges for American business greater than those accorded to businessmen from any other country. And the United States was willing to contribute more than its proportionate share in this program.

The President called his plan "bold and new". It is bold because for the first time a major nation has made it a national concern to facilitate the development of lesser developed countries, which contain well over half the population of the world, and because the plan looks beyond the immediate political alarms and crises to a long-range program, extending over many decades. This proposal is a demonstration of confidence in the possibility of achieving world peace.

The program is new in its world-wide scope. On a small scale, our government has had experi-

ence with this type of program in Latin America.

Now what has been happening on the plans for Point 4 since last January 20?

The United Nations Organization has given active leadership. The Secretariats of the United Nations specialized agencies have had numerous meetings to discuss the work which their organizations might undertake in the fields of agriculture, education, health, and general economic development. The Secretariats have now submitted their proposals to their various governing bodies. You may have seen a news story recently from New York, indicating that the total of these proposals would cost 84 million dollars for the first two years. Next month at Geneva, the Economic and Social Council will review these proposals. Thereafter, the combined United Nations program will be examined by the United States and other members of the United Nations who are willing to contribute to the Point-4 program. As you know, the Point-4 program is a wholly voluntary contribution, over and above our membership assessment in the United Nations.

Within the United States Government itself the Department of State has been given responsibility for drafting the necessary legislation and recommending a first year program. This work is now completed, and the President will probably be sending to Congress this week a message requesting consideration of Point-4 legislation at this session.

It is not possible to discuss the contents of the first year's program, because each project will have to be negotiated with another government, and part of the expense will be borne by the other government.

¹ An address delivered before the American Society of Engineering Education at Troy, N. Y. on June 23, 1949, and released to the press on the same date.

However, I can assure you that engineering will play a prominent part in that program, and subject to approval by the United States Congress, and by other countries which may contribute to this cooperative venture, hundreds of American and other engineers will be going annually to assist the governments of underdeveloped areas of the world.

I do not mean to overemphasize the role of government in this program, for it is likely that United States engineering firms and contractors will contribute a major share to the Point-4 program.

I am unable to give you details of the proposed program, but let me review some of our recent experiences in working with other governments on engineering matters.

The government now has two programs of technical assistance in Latin America.

First, there is an Interdepartmental Committee on Scientific and Cultural Cooperation, which draws upon the technical skills and personnel of all the federal agencies to supply technical assistance to other governments. I am chairman of that Committee, which has about 180 technicians working in Latin America today.

Second, there is a government corporation, the Institute of Inter-American Affairs, which is conducting programs for the improvement of the basic economy of Latin America. It works primarily in the fields of food supply, health, and education. I sit on the Board of Directors of that corporation.

These two programs utilize engineering skills of many sorts in assisting other governments. Here are some examples:

1. *Mining.* If you go to Mexico City today, you will find in the laboratories of the Mexican Government two mining engineers supplied by the United States Bureau of Mines. These are shirt-sleeves men who are helping the Mexicans work out processes for extracting or reducing ores, so as to make mining less expensive. The United States supplied these men primarily because of our interest in lead, zinc, and other strategic minerals. However, they are available to work on any mining or metallurgical process requested by the Mexican Government.

Since 1942, the United States has sent to Brazil a number of geologists to assist that government in locating and mapping its strategic minerals. These American geologists and their Brazilian colleagues have uncovered the largest deposits of manganese in the Western Hemisphere. The United States, since its earliest development of iron and steel, has been forced to import manganese from the other side of the Atlantic and the Pacific. Now, for the first time, we may become self-sufficient within this hemisphere. United States Steel has entered into a contract with the

Brazilian Government for development of one of these manganese deposits.

2. *Irrigation.* In Haiti, an engineering field party of the Institute of Inter-American Affairs has just completed a small concrete aqueduct carrying water out of the mountains into the arid coastal plain about 25 miles behind the capital of Port-au-Prince. This aqueduct is irrigating approximately 1,500 acres of land that have been largely abandoned since French colonial days over a hundred years ago, and the irrigated area is now being expanded. Haiti, as you may know, has a severe food shortage.

3. *Drainage for Malaria Control.* Engineers of the Institute of Inter-American Affairs were asked to tackle the malaria problem of the Santa River Valley in Peru where 25 percent of the population were infected. The mosquitoes were breeding in marshes along the river. In one year the Institute engineers drained the area surrounding the mouth of the river, and the incidence of malaria dropped from 25 percent to 2 percent. The cost of this project was supplied largely by the Peruvian Government, and the labor was Peruvian. The United States supplied the technical knowledge.

4. *Aviation.* The Civil Aeronautics Administration has field parties in five Latin American countries today, advising other governments on the location and construction of their airfields and the maintenance of their airways communications. Many of the United States personnel are engineers.

5. *Brazilian Air Mission.* In Brazil the United States has facilitated an entirely different kind of aviation mission. The Brazilian Government itself has recruited 20 of the outstanding aviation technicians of the United States, employed directly by the Brazilian Government to develop a national aviation program. The staff is headed by Dr. C. I. Stanton, former deputy administrator of the United States Civil Aeronautics Administration, and Professor Richard H. Smith, former dean of Aeronautical Engineering at M.I.T. These men have organized a complete engineering school for the Brazilian Government.

6. *Mechanical Engineers.* The Department of Agriculture has sent to Cuba several mechanical engineers who are helping to develop the necessary machinery for extracting fiber from the kenaf plant. Kenaf is an agricultural product developed by United States and Cuban scientists to replace jute. The agricultural phase of the work has been completed, but the machinery for processing the fiber is not yet satisfactory. When this project is completed, the United States will no longer be dependent entirely on the Far East for this important type of fiber.

7. *Water Supply Engineers in the Amazon.* The Institute of Inter-American Affairs engineers have supervised the construction of about 20 municipal

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water supply plants in Brazilian towns along the Amazon. The Amazon Valley was completely lacking in pure water systems, and water-borne parasites had become the principal national health problem. I recently heard an interesting anecdote about the first of these water systems in the Amazon, which was constructed in 1943. It was built in a town of 2,500 people, which served as a county capital. The engineers, in order to allow for population expansion, built the system to supply 4,000 people. Within 2 years after the water system was constructed, people had moved from miles around into this town, and its population had grown to 6,000 people—50 percent greater than the water supply capacity. The plant had since been enlarged. Moreover, this town had been located for centuries on the bank of the Amazon, because everyone had to carry water in buckets from the river bank. Within 1 year after the water system was constructed, the population began moving inland from the river and the center of town now is almost 2 miles from the river, on higher and more healthful ground. That is what one American engineer can contribute to one foreign community.

8. *Training Engineers in the United States.* Many of our federal agencies are conducting classes and individual training courses for technicians from Latin America. More than 2,000 technicians and scientists have been brought to the United States under this program during the past 10 years. Approximately 400 of these were in various fields of engineering. Right now in Washington there are training courses going on for Latin American engineers in the Public Roads Administration, the Civil Aeronautics Administration, the Bureau of Reclamation, the National Bureau of Standards, the Coast and Geodetic Survey, and the Public Health Service. This last agency is training sanitary engineers.

9. *London Science Staff.* An entirely different kind of engineering activity is represented by the science staff in the United States Embassy at London.

The Department of State has maintained a science staff in the London Embassy for almost 2 years. This staff both acquires and gives information of a scientific and technical nature.

Last year, from April 1948 to April 1949, an engineer was the Chief Scientific Officer—Dean W. R. Woolrich, Dean of the College of Engineering, University of Texas. His contribution to the work of the staff was considerable and is illustrative of the kind of assistance engineers will be giving to the Point-4 program, as well as other U.S. foreign programs. He made a study of government sponsored research in the Department of Scientific and Industrial Research in Great Britain. He surveyed and appraised the whole system of engineering education, government and private, talking with officials in engineering schools and assessing the kinds of courses, methods of

teaching, requirements for degrees, selection of students, and organization and management of engineering colleges. While in London, Dean Woolrich was a member of the U.S. Educational Commission in the U.K. administering the Fulbright program in Great Britain.

Dean Woolrich also worked on a plan to promote Western European interchange of unclassified industrial and agricultural technology now in possession of the governments participating in ERP. He cooperated with ECA and OEEC and with British and French government officials in developing the plan which has been accepted by the OEEC. Arrangements are now underway to put the plan into effect. Exchange arrangements are to be carried out by the countries among themselves. If successful, the project is likely to aid significantly in European economic recovery and to place the cooperating countries in a much stronger position to participate in the Point-4 program than they otherwise would be.

The best example I can recall of how the government and private enterprise work together in this field of technical cooperation is a story that came out of Afghanistan. In 1935, the Afghanistan Government sent to the United States a student of engineering. After he had graduated from an American engineering school, the Bureau of Reclamation took him into its laboratories at Denver for 9 months of training. Shortly after this student returned to Afghanistan, he was appointed Minister of Public Works. When consideration arose in 1942 for the construction of a major dam in Afghanistan, this former student asked the United States Government if it could send a survey engineer. The State Department arranged for a trip by Jack Savage of the Bureau of Reclamation, whom many of you know as the designer of Boulder Dam. Jack Savage spent only a month in Afghanistan, advising on the feasibility of the project. The Afghanistan Government then issued a series of contracts to United States engineering and construction firms, now aggregating many millions of dollars.

Here in one sequence you can see the relationship of our program for foreign students, our training of foreign technicians in United States Government agencies, our sending of technical advisers to other governments, and the role played by private American companies.

As soon as these professional schools are established, it is found that the scientific training and particularly the laboratory work in the high schools is inadequate, and it is necessary to revise the high school curriculum.

In many underdeveloped countries we find that education has been restricted to the wealthy families who have a social repugnance for hand labor. They lack what Harold Lasswell calls "the dignity of overalls."

One of the methods which the United States has attempted to use in overcoming this attitude is to

recommend handicrafts and shop work in the primary schools of a country. We have tried to break down the social attitude towards manual labor at the youngest possible age.

These educational problems are fundamental in any improvement to engineering services in most backward countries.

This year the United States has had over 25,000 foreign students enrolled in its universities. Approximately 5,100 of these students were studying engineering. That is over 20 percent. Nearly all of these students have been assisted at one time or another by our cultural officers in the American missions abroad or by our reception centers in the United States for assisting foreign visitors. The State Department is doing its best, within the limits of our university capacity to stimulate both the quantity and quality of the foreign students. The most important contribution to this program, however, has been the excellent fellowship program and counseling services of the various universities, including our engineering schools.

I believe we have been more successful in aiding foreign students to come to the United States than we have been in supplying visiting professors to institutions abroad. Under the Point-4 program there will undoubtedly be a greater demand than at present for the sending of United States visiting professors of engineering to other countries.

And this brings me to a subject of particular interest to members of your organization.

I believe that the Point-4 program will put strain upon the available pool of skilled personnel in this country, including the engineering profession. The government will be looking to its own

staff, to private engineering companies and to universities to determine what outstanding engineers are available for foreign assignment, and those who can be spared will be the first assigned. But I foresee in the second and third and ensuing years a demand for personnel which will compel the United States to turn to its young college graduates to undertake assignments abroad. Many of our technicians in Latin America today are under 30 years of age. I believe this is true of a majority of our sanitary engineers.

This is a problem which should be of concern to all of our professional schools. It means that some of our engineering students, to be properly prepared for their work, should have foreign languages and some "area studies." It means that the counseling services of our universities must become more familiar with the overseas opportunities for college graduates.

Such foreign assignments will be an all-round benefit to the United States and to the individual. The individual will be given experience far beyond his years and beyond any opportunities he would have in the United States to exercise such broad authority at so young a period in his life. This in turn enriches the pool of trained manpower which the United States possesses and gives our nation a richer experience in world affairs, which will enable us better to fill our new role in world leadership.

I have heard it said that engineers contributed more to the winning of the war than any other profession.

I foresee that the role of engineers in the program for peace, as laid down by President Truman, will be equally important.

Settlement of Claims Against Foreign Governments: Yugoslavia¹

I. THE SETTLEMENT WITH YUGOSLAVIA

The United States in its own right has two claims against Yugoslavia. The first is for alleged misappropriation of a jeep during the war period; the second is for the destruction by Yugoslav fire of a United States Air Force transport plane during flight between Austria and Italy on August 19, 1946. Yugoslavia paid \$150,000 indemnity on October 7, 1946, for loss of lives in connection with the incident, but the loss of the plane remains unsettled.

¹ Excerpts from H. Rept. 770, 81st Cong., 1st sess., June 9, 1949.

Although various claims for the taking of property arose after September 1, 1939, the claims of the United States against Yugoslavia on behalf of American nationals grow primarily out of policies and actions of the postwar government of that country. The first of these was the so-called agrarian reform of August 1945, involving the nationalization and distribution of excess farm holdings. The second was the nationalization of basic industries under an enactment of the Yugoslav Parliament of December 6, 1946. The third was the nationalization of small business enterprises under an amendment of May 20, 1948, to the above-mentioned enactment. The fourth was the nationalization of virtually all remaining prop-

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erty in Yugoslavia under a further amendment of June 23, 1948, to the basic nationalization enactment.

Concurrently with the above, the United States Government reserved American rights by diplomatic action, formally insisting on prompt, adequate, and effective compensation for divested American owners.

Settlement negotiations began soon thereafter. Negotiations embraced a general economic settlement between the two governments. This involved compensation for nationalization of property, settlement of the lend-lease obligation of the Yugoslav Government to this government, the unblocking of Yugoslav Government assets in this country, recognition of dollar bond obligations, and similar issues.

Two executive agreements embodying the substance of the settlements were signed on July 19, 1948. As explained in a Department of State press release of that date:

[Here appeared portions of that release which was printed together with the two agreements in the BULLETIN of August 1, 1948, page 137.]

Though the claims agreement alone is material to this bill, the substance of the concurrent agreement and the action of the Treasury Department in unfreezing Yugoslav assets are relevant. For it should be emphasized that the United States Government approached the question of settlement with Yugoslavia on a broad basis. The American claims were weighed not as an isolated issue but as a part of the whole range of financial relationships between the two governments.

Interposition by the government in behalf of claimant Americans is obviously necessary. If such interposition were not made, the American whose position and interest are prejudiced by the acquisitive action of a foreign government would have recourse to local courts as his only opportunity for relief. Obviously this would amount to no relief at all in an iron-curtain country. Even if a settlement in local currency were made, the money would be of no use to an American recipient.

Since governmental interposition is necessary, the next question is what means is to be followed. To resort to the traditional procedure of establishing a claims tribunal and arguing the issues before it would be inadequate in such a situation as the instant one.

The realistic course is the one followed by the United States in reaching the settlement with Yugoslavia—the consideration of issues on a broad enough basis to enable this government to press claims by economic or financial action on related issues. The government should be commended and encouraged in following a course which protects the interests of nationals abroad with something more substantial than the shield of reason and rhetoric.

II. TERMS OF THE AGREEMENT

The settlement with Yugoslavia is the first of its kind in the postwar situation. Others may be expected. Negotiations are now in progress for a settlement with Czechoslovakia of claims totaling about \$80,000,000 growing out of the nationalization and other taking of American property interests. Negotiations are expected to be opened with Poland concerning similar claims totaling \$175,000,000. The agreement with Yugoslavia therefore is of particular interest as a possible pattern for other settlements.

Article 1 of the agreement pledges Yugoslavia within 45 days after signature to pay the United States \$17,000,000 in settlement of the claims. Any money left over after all awards have been made and the expenses of adjudication paid will be returned to Yugoslavia.

Article 2 confines the claims affected to those involving property, rights, and interests which at the time of nationalization or other taking were directly or indirectly owned by a United States national, or an American corporation whose outstanding securities were at least one-fifth of American ownership.

Article 3 excludes from the settlement the claims of those who acquired United States nationality after deprivation. These persons must settle their claims with Yugoslavia directly.

Article 4 specifies that Yugoslavia does not waive any possible claims against United States nationals. It says that claimants compensated in pursuance of the agreement will be foreclosed from other claims growing out of the same circumstances. It recognizes the obligation of nationalized industries as successors to the debts of the businesses nationalized, but debts which are the basis of claims settled in pursuance of the agreement will be regarded as settled.

Article 5 obliges Yugoslavia to continue to grant most-favored-nation treatment to Americans in ownership and acquisition of assets in Yugoslavia.

Article 6 obliges Yugoslavia to avoid and ban the use within Yugoslavia of trade-marks, company names, and trade names of nationalized American-owned companies when such trademarks, company names, and trade names are used in other countries.

Article 7 provides that claims of United States nationals for war damage to property not nationalized will be treated no less favorably than such claims of Yugoslav or other nationals.

Article 8 makes the distribution among claimants of the funds paid by Yugoslavia a concern of the United States alone and makes final the findings of the agency to be set up for that purpose.

Article 9 obliges Yugoslavia to furnish to the United States, on request, information and documents necessary to settle the individual claims. It obliges the United States to furnish Yugoslavia

certified copies of papers related to the adjudication of claims. It authorizes Yugoslavia to file briefs as friend of the court on consent of the agency to be established by the United States to make awards.

Article 10 obliges Yugoslavia to authorize persons in Yugoslavia to pay debts to United States nationals, firms, or agencies, and, so far as feasible, to permit dollar transfers for such purpose.

Article 11 contains Yugoslavia's agreement to give "sympathetic consideration" to applications for transfer from Yugoslavia to the United States of small bank deposits which in the circumstances are important to the person requesting the transfer.

Article 12 provides for the agreement to take effect upon signature.

III. THE MAKING AND PAYMENT OF AWARDS

No final estimate of the number of claimants against Yugoslavia is available. The number is believed to be about 1,500. Included, in addition to the United States Government itself, are American corporations whose claims, while small in number, bulk largest in value, and recently naturalized United States citizens of former Yugoslav nationality. Virtually all types of ownership are represented. The intent of the agreement and the bill is to provide compensation for eligible American property interests nationalized or otherwise taken by the Yugoslav Government, including interests in which American individuals or entities possessed direct ownership, or in which they possessed indirect ownership through entities organized in foreign countries.

The United States has the money on hand. The problem is to get it to the deserving claimants. This requires the establishment of an agency and a procedure so that claims can be weighed consistently with a uniform standard.

The instant bill will set up the agency and the procedure.

The agency is to be an International Claims Commission within the Department of State. It should be noted that this will not be an independent establishment. In this respect the bill is in keeping with the views of the Commission on Organization of the Executive Branch of the Government in its Report on General Management (pp. 335-336), generally criticizing the independent status of numerous agencies now existing. It is consistent also with that Commission's final report, which makes various recommendations to reduce further the number of agencies reporting to the President. As to the War Claims Commission, for example, its recommendation is that it be placed in the position of reporting to the Secretary of State. Regarding the Indian Claims Commission, it recommends that it be attached to the Indian Service of the Department of the Interior. The report does not recommend that any claims

commission be maintained as an independent agency.

In keeping with the Commission's status as a part of the Department of State, its three members are made subject to appointment by the Secretary of State rather than subject to Presidential appointment with Senatorial confirmation. In this respect, the proposed Commission will contrast with the War Claims Commission provided for in the War Claims Act of 1948 (Public Law 896, 80th Cong.) and with the American Mexican Claims Commission established under the Settlement of Mexican Claims Act of 1942 (Public Law 814, 77th Cong.). The difference is believed to be justified by the desirability of establishing this agency as a part of a regular executive department with a responsibility to specific authority. The need of insuring independent adjudication, however, is recognized in the provision that the Secretary of State may remove a member only for neglect or malfeasance and upon notice and hearing.

The technical character of the Commission's duties is recognized in a requirement that the Commissioners must be members of the bar. The need of attracting talent of a high order so as to insure proper performance is recognized in the provision of \$15,000 as the annual salary of the Commissioners.

Since the time necessary to complete the work is unpredictable, the bill does not set a terminal date for the Commission. This is to be determined in the discretion of the Secretary of State and in the light of the circumstances. Termination of the Commission, however, will not affect the basic authority of the act. This will remain intact so that the mechanism may be reestablished in event that similar claims settlements in the future make it necessary to resume such adjudications.

The committee, however, has written into the bill a provision (sec. 6) directing the completion within 4 years of the Commission's tasks under the Yugoslav claims agreement. This will allow ample time for the work; the provision is desirable as a stimulus to efficient performance and as an indication of the purpose of this legislation to bring about a settlement and to avoid any unnecessary deferment of the time when claimants will receive the measure of redress to which they are entitled.

The Commission will settle claims of the United States Government and United States nationals (the latter defined as in the Nationality Act of 1940) under the Yugoslav claims agreement and other possible claims agreements of the same character. The possibility of other claims agreements whose terms would come within the Commission's jurisdiction should be understood to include possible supplementary agreements with Yugoslavia. It should be noted that the Commission will have no jurisdiction over any war claims against former enemy countries. These come within the jurisdiction of the War Claims Com-

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mission set up under the War Claims Act of 1948.

The Commission will apply, in the order indicated, (a) the provisions of the applicable claims agreement (in the immediate instance, the Yugoslav claims agreement), and (b) the applicable principles of international law, justice, and equity.

The Commission's decision "shall constitute a full and final disposition of the case in which the decision is rendered." The bill states also that such decisions—

shall be final and conclusive on all questions of law and fact and not subject to review by the Secretary of State or any other department, agency, or establishment of the United States or by any court by mandamus or otherwise.

In its procedures the Commission will operate generally under the provisions of the Administrative Procedure Act (Public Law 404, 79th Cong.). This would presumably be true under the terms of the Administrative Procedure Act itself, but the committee has amended the bill so as to make this explicit. Internal procedure will be along judicial lines. Each claim will be adjudicated on an adversary basis. Awards will be made on the basis of a record.

The Commission is to be staffed with attorneys, clerks, economic analysts, and investigators. A small field staff to gather evidence and proof will operate in Yugoslavia or in any other country with whose Government the United States may reach a similar agreement to settle claims. Such a staff will be necessary in order to insure proper adjudication in many cases where documentary or other proof would not be otherwise obtainable. It should be noted in this connection that the agreement with Yugoslavia obligates that country, insofar as possible, to assist by making available information and documents necessary to proper adjudication.

The hiring of such personnel and other costs involved in the Commission's activities should not be a factor in the financial position of the Government. Appropriations authorized under this bill should be amply covered by money gathered into the Treasury in pursuance of a provision for a deduction of 3 percent from each award. The bill also provides, with respect to the money on hand for settlement of claims against Yugoslavia, that to the extent the 3-percent deductions may not cover all costs, additional deductions may be made from the residual funds left after all awards have

been made. The balance, if any, will then be returned to Yugoslavia as required by the agreement.

The bill recognizes that many of the claimants are in immediate need of compensation for deprivation of property. An amendment written into the bill by the committee allows the Commission to make awards on parts of individual claims when final action on other portions of the claims must be deferred. The bill also provides that awards of \$1,000 or less in principal amount may be paid immediately. Immediate payment of \$1,000 on awards of larger amount is authorized. Additional payments of 25 percent of unpaid principal of awards of more than \$1,000 are also permitted. Beyond this, awards will be satisfied only when all cases have been adjudicated. Interest, insofar as allowed, will be paid on a pro rata basis only after all principal awards have been paid.

The provisions of the bill relating to payment of awards after they have been entered follow generally the practice of the United States Government in settling claims against itself and are modeled closely upon the Mexican Claims Act of 1942. The amendments approved by the committee make changes in detail rather than in substance.

One amendment lowers from \$1,000 to \$500 the maximum limit on payments in which the Comptroller General is to have discretion in deciding who is entitled to receive payment on an award to a deceased claimant.

Another amendment eliminates as unnecessary a provision related to payments to the estate of a deceased claimant; it was the committee's view that the procedure for payment to persons entitled to receive awards made to a deceased claimant would suffice with respect to payments to such estates.

A third amendment gives the Secretary of the Treasury rather than the Comptroller General the discretion to make payments to the assignee in event of the assignment of an award. The committee was informed that such an amendment was desirable in the view of the Treasury Department and was concurred in by the General Accounting Office.

Another amendment eliminates as unnecessary a provision that failure to give or receive notice of the opportunity to file a claim should not give rise to a cause of action against the United States or against members of the Commission and their subordinates.

Europe as a Bulwark of Peace

by Lieutenant General Walter Bedell Smith, Former Ambassador to the Soviet Union¹

I appreciate the honor of being invited to address the governors of the United States at their annual conference. I consider it especially significant that our governors, preoccupied as they are with the special problems and interests of the respective states, should turn their attention to a consideration of foreign affairs, which in our time have come to affect the lives of all Americans in the most personal and intimate way.

The turn of events since the end of the war has placed upon the United States, as the citadel of freedom and the strongest of the free nations, the major responsibility for world recovery, world peace, and world progress, and at the same time has confronted this nation with potentially the gravest challenge ever offered to our principles and our way of life. This situation results from the decision of the leaders of Soviet Russia to turn away from the cooperation which we hoped would prevail after the war, and instead to seek to impose Communism upon the world. The consequent resistance of the free peoples of the world to subjugation and enslavement has brought about the world-wide struggle in which we are now engaged.

ELEMENTS OF SOVIET COMMUNISM

In any such conflict, the first requirement is to understand the nature of the opposing force. In analyzing Soviet Communism, we can distinguish certain basic characteristics or elements. The first element is a group of ruthless and ambitious men, animated by a lust for power and bound by a fanatical doctrine which holds that the end justifies the means, no matter how brutal or unjust. The second element is the seizure by this group of absolute control of a large and powerful nation,

whose strength and resources are used by the arbitrary rulers to carry out their aggressive and expansive policies. The third element is the control and manipulation by these rulers of subservient groups in other countries so as to subject those countries to the will of the dominant power, as has been done throughout Eastern Europe, as is being done in China, and as will be done wherever freedom and democracy do not prove themselves strong enough to resist.

STRENGTH OF THE DEMOCRACIES

This combination of unrestrained power, based in a vast and lusty country and reaching out in all directions through the mechanism of international Communism, makes Soviet Russia a formidable opponent. Yet the democracies, aroused to common action and dedicated to the preservation of their liberties, are substantially stronger.

I am convinced that the Soviets, although exasperatingly difficult to deal with, do not want to risk war and will modify their aggressive policies when confronted with firm resistance, backed by recognizable force. This opinion was not hastily arrived at but is based in large part on my experience as ambassador to Moscow.

It is extremely important for the democracies, and especially the United States, never to lose sight of the fundamental fact that we are engaged in a constant, continuing, gruelling struggle for freedom and the American way of life that may extend over a period of many years. We must not be thrown off balance by temporary ups and downs, indecisive triumphs and failures. We must anticipate that the Soviet tactic will be to attempt to wear us down, to exasperate us beyond endurance, to keep probing for weak spots they can exploit. Obviously the Russians believe they are playing a game of patience, in which they can outlast us.

We need to keep reminding ourselves to take the long view, particularly at the conclusion of some dramatic or frustrating experience, whether it be

¹ An address delivered at the Conference of Governors in Colorado Springs, Colo., on June 20, 1949, and released to the press on the same date by the National Military Establishment. General Smith is Commanding General of the First Army.

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the end of a blockade or the termination of a Conference of Foreign Ministers. We cannot allow ourselves to be swerved from our long-term purpose by the elations or the disappointments of the moment.

Regardless of from what direction one approaches the problem, he must inevitably arrive at the conclusion that the best assurance of peace is our determination and strength to support our convictions. It is not sufficient only to have strength to defend ourselves by military means if necessary. The potential must exist and by its very existence it serves its highest purpose, which is in preventing war. We all know now that while victory in war saves us from the imposition of solutions we are determined to reject, victory itself raises grave new problems in turn. As one who has seen war, I am earnestly concerned with the creation of conditions that will assure peace.

This is the object of this nation's policies in foreign affairs. As a member of the United Nations, we are pledged to the settlement of international disputes by pacific means. We are conscientiously trying to strengthen the United Nations as an effective instrument for preserving the peace. We are energetically working, both inside and outside the United Nations, to promote the economic and social conditions throughout the world that will minimize conflicts and remove the causes of wars. If we continue to pursue these policies vigorously and steadfastly we will succeed in throwing back the challenge of Communism and at the same time preserving the peace.

EUROPEAN RECOVERY PROGRAM

One of the fundamental measures for achieving that purpose is the European Recovery Program, an essential and effective means of assuring peace. No one who has been in Europe for any length of time since the war can help but be profoundly impressed by the great change that has taken place since the Marshall Plan has been in operation. Little more than a year ago, Western Europe was disorganized economically, depleted physically, and depressed spiritually. The position of its free nations was precarious. It was a situation of crisis in which anything might happen. The prospects for peace were anything but promising.

The contrast between conditions in Europe then and today is remarkable. The free nations of Western Europe have literally taken a new lease on life. They are working together as never before. The people have been given more than new hope, as important as that is. They have been given something to work with, and their production record proves that they not only are eager to work but that they also have the skill and the determination to reestablish themselves in the world. The Marshall Plan has not been the only factor in effecting this transformation, but it has been the major force in the stabilization of Eur-

ope. I am certain that history will confirm President Truman's judgment that the Marshall Plan marked the turning point.

In the marked increase of production achieved in Europe during the last year, the contributions of farm and labor groups both in this country and in Europe have been notable. The organized labor movement in this country and the non-Communist labor movements in the participating countries of Europe have strongly supported the Marshall Plan. These movements on both sides of the Atlantic joined in establishing a trade-union advisory committee to assist in carrying out the recovery program. The support of the labor groups is essential to success, since the workers hold the key to industrial production. Similarly, the representatives of farm organizations in this country have testified for the Marshall Plan in Congressional hearings and likewise have been active in an advisory committee to assist the ECA. The farmers of Europe, favored by the weather, have substantially increased the production of food crops. Such interest and support is of great importance because it demonstrates that the Marshall Plan is not just an arrangement among governments but basically a cooperative effort among the peoples of the countries concerned.

But we must not forget that the essence of the Marshall Plan is that it is not a relief program but a recovery program and that it is based on calculations of the minimum requirements for recovery over a 4-year period. We knew this when we accepted the plan in the first place. This means that we must be prepared to follow this program through to its logical conclusion if it is to accomplish its purpose. If we turn back from the course we set ourselves little more than a year ago, or if we slacken our efforts, we not only risk losing the momentum achieved thus far, but we also run the danger of wasting what we have already invested in the program. Aside from the material factors involved, any sign of vacillation or indecision on our part will profoundly discourage our friends and strengthen the belief of the Communists that they have only to keep up the pressure until we grow tired and give up the struggle. We must understand that we are engaged in a contest of indefinite duration and that we must decide our course and stick to it through thick and thin.

The recovery of Europe is a primary requisite for the maintenance of the free way of life and the preservation of peace. But even European recovery is only part of a larger design. The economic revival of Western Europe is necessary to make the peoples of that continent self-supporting and to enable them to resume their proper place in world affairs. Economic recovery also will provide them in time with the strength to assume their own security. But they do not have that strength at present.

All the nations of Western Europe that engaged in the recent war, with the exception of

Great Britain, emerged from that conflict practically defenseless. Since VE-day they have begun rebuilding their defenses, but it is a slow, laborious process, particularly since economic recovery has priority. The knowledge of their inadequate defenses, in the face of the aggressive and expansive tendencies of the Soviet Union, has contributed to a pervading sense of insecurity that weighs heavily on Western Europe. Even while putting forth their utmost effort for recovery, the people have been haunted by the fear that they might be rebuilding only to have the fruits of their labor again usurped by an occupying army.

THE NORTH ATLANTIC TREATY

The sense of insecurity arising from these circumstances is in itself a serious detriment to recovery, stability, and peace. In order to achieve our objectives in Europe, the United States must use its own strength to shield the free nations of Europe from aggression while they rebuild their defenses, just as we are using our material resources to enable the people of Western Europe to revive their economies. This is the purpose of the North Atlantic Treaty, which the Foreign Relations Committee of the Senate has unanimously recommended for ratification, and the legislation for military assistance, which the Administration is now preparing to submit to the Congress.

The treaty, which is a pact for the mutual defense of the North Atlantic area against armed attack from any source, commits the 12 signatory countries to help each other to maintain and develop their individual and collective capacity to resist aggression. It is in partial fulfillment of that obligation that the Administration proposes to provide 1 billion, 130 million dollars of military assistance to the European members of the treaty during the next fiscal year.

The purpose of this measure is to accelerate the rebuilding of the defenses of Western Europe, both to increase the faith of the free peoples of Europe in their own ability to resist aggression and to make more effective their pledge to contribute to the mutual defense of the North Atlantic area. The promise that all of the 12 nations signing the treaty naturally including the United States will come promptly to the aid of any one of them which is attacked is in itself a strong deterrent to aggression. From what we know of the nature of Soviet Communism, it is obvious that the effectiveness of that deterrent will be increased in proportion to the known ability of all 12 nations to resist and defeat an aggressor.

The great, the priceless benefit we expect to gain from this treaty is peace. We seek that benefit by making clear in advance our determination and that of our partners in the treaty resolutely to resist armed attack with all the strength available to us all. Determination is not enough; it must be backed by strength.

MILITARY ASSISTANCE

If war should nevertheless come, the advantages of this arrangement would not by any means accrue solely to the European members of the treaty. With the experience of two World Wars in mind, I think it is clearly apparent that there are tremendous advantages to the United States in having strong and loyal friends on the continent of Europe. In the event of war, these advantages are greatly increased if our associates in Europe are able to maintain their position until we are able to join our forces with theirs on the continent. Therefore, our assistance in strengthening the ability of our Atlantic pact associates successfully to resist aggression in Europe is equivalent to strengthening the defenses of the United States.

The conclusive reason for military assistance to the free nations of Europe is that it materially enhances the prospects for peace. The greatest single achievement leading to the creation of conditions that would assure lasting peace in the world would be the reestablishment in Europe of a group of strong, free, virile and progressive states, living together in harmony and cooperating closely in political, economic, and social matters for the good of their own people and the people of the world. This kind of Europe, no longer dependent on the United States or fearful of attack from the East, would be a stabilizing force with great influence in world affairs.

EUROPE AS A BULWARK OF PEACE

This kind of Europe would contain a population greater than that of Russia, much further advanced in science and technology, with resources much better developed and an industrial organization much more efficient and productive. Such a Europe would be able effectively to resist the encroachments of Communism. By providing a living, dynamic demonstration of the superior values of the free way of life over totalitarian, such a Europe would inevitably exert a profound attraction for the repressed and impoverished peoples under the Communist yoke.

Above all, the kind of Europe envisioned as resulting from our present policies would be a great constructive force for peace. The free nations of Europe share our aversion for war. That aversion has been intensified by the tragic experiences of recent years. Strength in the hands of the free peoples of Europe will be strength dedicated to the defense of peace. We can make no better investment for peace than the restoration of the strength of the free nations of Europe.

We can help make Europe a bulwark of peace by doing three things: First, continuing the European Recovery Program in full force until we have finished the job and attained the objective we set ourselves in the beginning. Second, entering fully and wholeheartedly into the North Atlantic Treaty for the mutual defense of the vital centers of Western civilization. Third, providing

military assistance as an effective step toward reconstituting the strength of Western Europe as a positive force for peace.

BIPARTISAN NATURE OF UNITED STATES POLICIES TOWARD EUROPE

I should like to emphasize the bipartisan nature of these policies. The legislation providing aid for Greece and Turkey and for economic assistance to Europe and the Senate resolution which guided this government in negotiation of the treaty were all passed by a Republican Congress with a Democratic administration and by overwhelmingly bipartisan votes. To me this is clear proof that these measures far transcend partisan politics and are recognized as representing the true basic interests of the American people.

In advocating these measures, I fully recognize that they are undertakings not to be lightly assumed. The continuance of the European Recovery Program and the initiation of the Military Assistance Program require large public expenditures at a time when our commitments are already heavy and economic adjustments apparently are in progress. I support these measures out of a deep conviction that they are essential in the national interest. What is involved here is nothing less than the preservation of our way of life—the continued assertion of our right as free men to govern ourselves as we see fit and to live according to the dictates of our own conscience.

SACRIFICES OF AMERICAN PEOPLE

This being true, we should not hesitate to make whatever sacrifices are necessary to defend our free institutions. The American people have repeatedly shown that they will willingly make great sacrifices for that purpose. Public opinion clearly favored the inauguration of the Marshall Plan at a time when it appeared that the shipment of the necessary foodstuffs and other materials to Europe might cut drastically into our own supplies. That danger no longer exists. In fact, the procurement program for European recovery might become a valuable stabilizing influence in our domestic economy when production is declining. Certainly it is true that our foreign aid programs and our domestic economy must be kept in balance as component parts of an integrated national policy.

The time has passed when foreign affairs and domestic affairs could be regarded as separate and distinct. The borderline between the two has prac-

tically ceased to exist. Henry L. Stimson, who has served both as Secretary of State and as Secretary of War, has summed it up this way: "No private program and no public policy, in any sector of our national life, can now escape from the compelling fact that if it is not framed with reference to the world, it is framed with perfect futility."

UNITED STATES RESPONSIBILITIES IN WORLD AFFAIRS

Our great responsibilities in world affairs inevitably have their effect on every aspect of our national life, and every element of our national life enters into our actions with respect to the rest of the world. The strength which we must have to overcome the dangers that threaten and to accomplish the great task of achieving a just and decent peace is not military strength or economic strength alone, but the total strength of the nation. It is a strength that encompasses such things as education, public health, family life, and opportunity and incentive for individual achievement. And basic to that strength is the passionate devotion of our people to the free way of life. We can maintain the material, moral, and spiritual strength of America if our democratic faith remains strong.

We in this country know that we can draw from this wellspring of faith the strength necessary to carry out the tremendous responsibilities of world leadership. We must express that strength in purposeful and resolute action. We must never give others cause to doubt our purpose and our resolution. The stakes are too high to afford even a suspicion of irresolution.

In this critical period of history, the United States cannot have a "fair weather" foreign policy formulated under favorable conditions only to be abandoned or watered down when the going gets rough. We cannot embark on a certain course of action, advertised to the world, and then back down before the job is finished.

We have made a good start on a policy that has achieved a considerable measure of success. We need to keep at it. Hesitancy or delay at this time would only hearten the enemies of democracy and weaken the confidence of the free peoples in the leadership of the United States which has brought the world thus far along the road to recovery and peace. We can't march up the hill one day and down again the next. We must go forward, step by step, to world peace and security. Only in such a world can our own peace and security be assured.

Contents

	Page		Page
General Policy			
The South Pacific Commission Makes Progress. By Felix M. Keesing	839	Council of Foreign Ministers—Con.	
Address by Willard L. Thorp	851	Communiqué	857
Europe As a Bulwark of Peace. By Lt. Gen. Walter Bedell Smith	872	Statement by President Truman	858
Treaty Information			
Genocide Convention Transmitted to the Senate:		Reports to Congressional Committees on Results of Conference. Statements by Secretary Acheson	859
The President's Letter of Transmittal	844	Extemporaneous Remarks by Secretary Acheson Concerning His Impressions of the Conference	860
Report of the Secretary of State	844	The United Nations and Specialized Agencies	
Economic Affairs			
The Lisbon Conference on Central and South African Transportation Problems. By Maxwell Harway	852	Genocide Convention Transmitted to the Senate:	
Final Act Conference on Central African Transportation Problems	854	The President's Letter of Transmittal	844
Where Do We Stand on Point Four? By George V. Allen	865	Report of the Secretary of State	844
Calendar of International Meetings	849	The United States in the United Nations	848
Council of Foreign Ministers			
The Paris Conference of the Council of Foreign Ministers:		Technical Assistance	
		The President's Recommendations for Technical Assistance Program for Underdeveloped Areas Sent to the Congress	862
		The Congress	
		Legislation	847
		Settlement of Claims Against Foreign Governments: Yugoslavia	868

Contributors

Maxwell Harway, author of the article on the Lisbon Conference on Central and South African Transportation Problems, is Assistant Adviser on Inland Transport, Office of Transport and Communications, Department of State. Mr. Harway served as Department of State Observer at this Conference.